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Sunshine Ordinance Task Force

Dr. Carl
San Francisco
Tel. No. 554-7724
Fax No. 554-5163
TDD/TTY No. 544-5227

http://www.ci.sf.ca.us/bdsupvrs/sunshine.htm

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SPECIAL MEETING
SUNSHINE ORDINANCE TASK FORCE
AGENDA
Tuesday, January 15, 2002
4:00 p.m.
City Hall, Room 406

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Robert Planthold
Seat 2	Bruce Brugmann	Seat 9	Daniel Guillory
Seat 3	Vince Courtney	Seat 10	Paul Hogan
Seat 4	Marie Harrison	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Vacant
Seat 6	Hilda Bernstein	Ex-officio	Hala Hijazi
Seat 7	Ted Kowalczuk		

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Note: Each item on the Agenda may include minutes, department or agency letters and reports; Task Force reports; and public correspondence. These items will be available for review at City Hall, Sunshine Ordinance Task Force Office, Room 409.

Call to Order
Roll Call
Agenda Changes

1. Annual Sunshine Ordinance Training for the Sunshine Ordinance Task Force

2. Public comment.

Adjournment **Next Regular Meeting January 22, 2002**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, MONDAY THROUGH FRIDAY, CITY HALL, ROOM 244

Disability Access

The hearing room is wheelchair accessible.

Chemical-Based Products

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

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Sunshine Ordinance Task Force

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SPECIAL MEETING
SUNSHINE ORDINANCE TASK FORCE

MINUTES

Tuesday, January 15, 2002
4:00 p.m., City Hall, Room 408

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Robert Planthold
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Seat 4	Marie Harrison	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Vacant
Seat 6	Hilda Bernstein	Ex-officio	Hala Hijazi
Seat 7	Ted Kowalczuk		

Roll Call: Present: Bernstein, Brugmann, Harrison, Kowalczuk, Planthold, Sterner
Absent: Courtney, Guillory, Hogan, Koltun, Williams

1. Annual Sunshine Ordinance Training for the Sunshine Ordinance Task Force

2. Public comment.

No public comment.

Meeting adjourned at 5:30 p.m.

Donna L. Hall, Administrator

* The 1/15/02 Sunshine Ordinance Task Force meeting has been recorded and is on file in the Sunshine Ordinance Task Force Office.

Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
AGENDA
Tuesday, January 22, 2002
4:00 p.m.
City Hall, Room 408

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Robert Planthold
Seat 2	Bruce Brugmann	Seat 9	Daniel Guillory
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Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of December 18, 2001 and January 15, 2002. (5 min) Action item

2. Report from Chair. (Hilda Bernstein) (5 min) Discussion item

   - Email from Bruce Brugmann
   - Conflict of Interest Code for Sunshine Ordinance Task Force
   - Attendance at meetings

3. Report from the City Administrator on progress of index of records. (Jill Lerner) (10 min) Discussion item

4. Report from Public Education and Information Committee. (Daniel Guillory) (10 min) Discussion item

5. Annual Report for 2001. (Hilda Bernstein) (5 min) Action item

6. Report from Administrator. (Donna Hall) (5 min) Discussion item.

7. Election of Vice Chair. (Hilda Bernstein) (10 min) Action item

8. Information briefing and training by the City Attorney's Office on the elimination of the balancing test and the deliberative process privilege in the San Francisco Sunshine Ordinance. (Jackie Minor) (20 min) Discussion item

9. Public Comment.

Adjournment **Next Regular Meeting February 26, 2002**

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Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE

MINUTES

Tuesday, January 22, 2002
4:00 p.m.
City Hall, Room 408

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Task Force Members

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Seat 3	Vince Courtney
Seat 4	Marie Harrison
Seat 5	Heather Sterner
Seat 6	Hilda Bernstein
Seat 7	Ted Kowalczuk
Seat 8	Robert Planthold
Seat 9	Daniel Guillory
Seat 10	Paul Hogan
Seat 11	Marjorie Ann Williams
Ex-officio	Vacant
Ex-officio	Hala Hijazi

(All motions adopted unanimously except as noted. First name indicates initiator of motion; second name indicates seconder of motion.)

Called to Order at 4:02 p.m.

Roll Call: Present: Koltun (arrived 4:08 p.m.), Brugmann, Sterner, Bernstein, Kowalczuk, Planthold, Guillory, Hogan, Williams, Hijazi. Absent: Courtney, Harrison.

1. Approval of minutes of December 18, 2001. (Guillory/Williams) (Koltun, Courtney, Harrison absent) (Recused: Planthold)

Member Planthold recused from Task Force vote on the December 18, 2001 minutes because for a substantial part of the meeting he was not a member of the Task Force, but a complainant.

Approval of minutes of January 15, 2002. (Planthold/Kowalczuk) (Courtney, Harrison absent)

2. Report from Chair.

Chair Bernstein reported on the e-mail from Bruce Brugmann and her response

Chair Bernstein reported that she was not familiar with the Conflict of Interest Code for the Sunshine Ordinance Task Force and is not aware that anything was prepared. She will check with Donna Hall, the Sunshine Task Force Administrator for further information and about having this item placed on a subsequent agenda if relevant.

Chair Bernstein reported that attendance at meetings is important in order to function effectively.

Chair Bernstein reported that many requests are coming in from foreign visitors for information about the Sunshine Ordinance and how it is functioning. This week guests from Japan are visiting, and next week guests from South Korea will be visiting.

Chair Bernstein reported that Chancellor Day from City College is interested in seeing what can be done to bring City College into the Sunshine Ordinance. He is forming an Advisory Committee in which two of the attorneys who are involved in drafting the Ordinance have agreed to serve on the Advisory Committee. She stated that she has been asked to serve on the Task Force and asked whether it would require approval from the Task Force. She also received a call from the California Association of Grand Juries who also want information on how Sunshine is functioning and has referred the call to Donna to mail information.

Ernest Llorente, Deputy City Attorney recommended continuing this item to the next meeting because the item is not on the agenda.

3. Report from the City Administrator on progress of index of records.

Jill Lerner, City Administrator's Office, passed out a list of twenty departments that have been posted on the web. This was the semi-annual report from the City Administrator's Office.

4. Report from Public Education and Information Committee

Member Guillory, Chair of the Public Education and Information Committee, reported on the last meeting of the Public Education & Information Committee, i.e., a listing of all of the non-profit vendors in San Francisco that receive $250,000 or more from the City and are subject to Administrative Code 12L, and outreach to community organizations.

5. Annual Report for 2001.

Motion to defer the report. (Brugmann/Koltun) (Courtney, Harrison Absent) Motion withdrawn.

Member Planthold stated this was his last meeting, and he would like to vote on the report. He would like to amend the report by taking out the attendance sheet on Addenda 2 that indicates a non-meeting attendance chart. The October 2 Special Meeting lists attendance for a meeting that never happened because of a lack of quorum.

Recommendation that the packet be placed on the website and that the Task Force Administrator coordinate the process with DTIS.

Motion deferring the Annual Report adoption to the next meeting. (Brugmann/Koltun) Motion withdrawn.

Motion adopted approving the Annual Report for 2001 with the deletion of Addenda 2 of the attendance sheet for the non-meeting of October 2. (Planthold/Hogan) (Courtney, Harrison Absent)

6. Report from Administrator.

Administrator Donna Hall submitted written report.

7. Election of Vice Chair.

Chair Bernstein thanked Vice Chair Planthold for his years of service. A Vice-Chair would have to be nominated to fill the position through April. Reappointments will then be made in April for both the Chair and Vice-Chair.

Member Planthold stated that his resignation is effective February 1 just in case a special meeting should be held.

Member Planthold recused from Task Force discussion on this item. (Koltun/Hogan) (Courtney, Harrison Absent)

Motion nominating Member Koltun for Vice Chair for the next three months. (Brugmann/Williams) (Courtney, Harrison Absent) (Planthold recused)

8. Information briefing and training by the City Attorney's Office on the elimination of the balancing test and the deliberative process privilege in the San Francisco Sunshine Ordinance.

   Deputy City Attorney Jackie Minor presented training to the Task Force.

9. Public Comment

   Joe Partnasky recommended that an open packet be placed on the dais for members of the public during the meeting.

The meeting adjourned at 5:20 p.m.

Submitted by Monica Fish, Assistant Clerk
Clerk of the Board Office

* The 1/22/02 Sunshine Ordinance Task Force meeting has been recorded and is on file in the Sunshine Ordinance Task Force Office.

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Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE

MINUTES

Tuesday, February 26, 2002
4:00 p.m., City Hall, Room 408

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Vacant
Seat 2	Bruce Brugmann	Seat 9	Daniel Guillory
Seat 3	Vince Courtney	Seat 10	Paul Hogan
Seat 4	Marie Harrison	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Vacant
Seat 6	Hilda Bernstein	Ex-officio	Hala Hijazi
Seat 7	Ted Kowalczuk		

This meeting of the Sunshine Ordinance Task Force was not held because the agenda was not posted on the web.

Donna L. Hall, Administrator

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SPECIAL MEETING

SUNSHINE ORDINANCE TASK FORCE AGENDA

Wednesday, March 6, 2002
4:00 p.m.
City Hall, Room 406

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Vacant
Seat 2	Bruce Brugmann	Seat 9	Daniel Guillory
Seat 3	Vince Courtney	Seat 10	Paul Hogan
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Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of January 22, 2002 and February 26, 2002. (5 min)
   Action item

2. Report from Chair. (Hilda Bernstein) (5 min) Discussion item

   (a) Correspondence from Elections Commission President Tom Schulz
   (b) Attendance at meetings
   (c) Meeting with international visitor
   (d) Meetings with Supervisors
   (e) Meeting with Deputy City Attorneys
   (f) Correspondence from Bruce Brugmann

3. Discussion regarding the ways and means of compelling appearances at a hearing before the Task Force. Hilda Bernstein (15 min) Discussion & possible action item

4. Report of Complaint Committee. (Paul Hogan) (5 min) Action item

   (a) Report of meeting of 1-25-02
   Order of Determination of complaint of Steve Cockrell against the Recreation and Park Department

   (b) Report of meeting of 2-12-02
   Jurisdiction of complaint of Helynna Brooke, Shelley Bell, Deborah Drysdale, James Bryant, Willie Kennedy against the Elections Commission

5. Public hearing, Complaint of Helynna Brooke, Shelley Bell, Deborah Drysdale, James Bryant, Willie Kennedy, against the Elections Commission regarding improper notification of meeting and improper meetings. (30 min) Action item

6. Report from Ad Hoc Committee on Proposed Amendments to Sunshine Ordinance. (Joshua Koltun) (10 min) Action item

   - Report of meeting of 2-12-02

7. Report from Public Education and Information Committee. (Heather Sterner) (10 min) Discussion and action item.

   (a) Report of meeting of 2-20-02
   (b) Approval of Volunteer Community Liaison announcement

8. Report from Administrator. (Donna Hall) (5 min) Discussion item.

9. Public Comment.

Adjournment **Next Regular Meeting March 26, 2002**

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Sunshine Ordinance Task Force

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SPECIAL MEETING

SUNSHINE ORDINANCE TASK FORCE

MINUTES

Wednesday, March 6, 2002
4:00 p.m., City Hall, Room 406

Task Force Members

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Seat 6	Hilda Bernstein	Ex-officio	Hala Hijazi
Seat 7	Ted Kowalczuk		

This meeting of the Sunshine Ordinance Task Force was not held because of lack of a quorum.

Donna L. Hall, Administrator

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SPECIAL MEETING
SUNSHINE ORDINANCE TASK FORCE

AGENDA

Tuesday, March 26, 2002
2:30 p.m., City Hall, Room 408

Task Force Members

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Call to Order
Roll Call
Agenda Changes

1. Report from Ad Hoc Committee on Proposed Amendments to Sunshine Ordinance. (Joshua Koltun) (10 min) Discussion item
   - Report of meeting of 2-12-02
   - City Attorney memo outlining enforcement powers as provided in the Sunshine Ordinance

2. Discussion of general question of whether the Task Force has sufficient enforcement powers and/or whether it has been fully utilizing the powers it has. Discussion and possible action item on recommendations to Ad Hoc Committee.

3. Public Comment.

Adjournment

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SUNSHINE ORDINANCE TASK FORCE

SPECIAL MEETING

MINUTES*

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Seat 6	Hilda Bernstein	Ex-officio	Hala Hijazi
Seat 7	Ted Kowalczuk		

Roll Call: Courtney, Harrison, Hijazi absent

(First name after motion indicates initiator of motion; second name indicates seconder of motion. Motions unanimously passed unless noted.)

Chair Bernstein turned the meeting over to Vice-Chair Koltun, who is Chair of the Ad Hoc Committee on Proposed Amendments to Sunshine Ordinance.

1. Report from Ad Hoc Committee on Proposed Amendments to Sunshine Ordinance.

   Vice-Chair Koltun reported on the last meeting of the Ad Hoc Committee on Proposed Amendments to Sunshine Ordinance, i.e., three areas discussed:

   - What enforcement power the Task Force has
   - What jurisdiction the Task Force has
   - Manner in which electronic communication can be communicated between members in preparation for a meeting; violations of Brown Act

2. Discussion of general question of whether the Task Force has sufficient enforcement powers and/or whether it has been fully utilizing the powers it has. Discussion and possible action item on recommendations to Ad Hoc Committee.

Comments from Committee Members regarding lack of enforcement steps; departments not adhering to Orders of Determination in a timely manner; possibly the Task Force is not strict enough; possibly write stronger Orders of Determinations with time limits for compliance; has Task Force used powers they already have; possibly do more follow-up; document non-compliance of Orders of Determination; there is no internal enforcement; possibly refer non-compliance to Ethics Commission, District Attorney, Attorney General; Ad Hoc Committee keep open for any and all other amendments persons might have.

Deputy City Attorney to compile information regarding referrals to the Ethics Commission; enforcement powers with regard to compelling attendance at hearings; compelling production of documents.

Motion that the Task Force recommend to the Ad Hoc Committee they investigate and report back on the toughest possible procedures to use in enforcing the existing sunshine initiative and the procedures also be with regard to the earliest possible notification to both complainant and respondent and the consequences of those procedures. (Brugmann/Kowalczuk) Courtney, Harrison absent)

Public comment from Bob Planthold regarding Sunshine Ordinance Task Force Orders of Determinations—they could be stronger—and follow-up.

Public comment from Sue Cauthen regarding enforcement; Supervisors have power over departments' budget; perhaps violations could be noted to Supervisors; something in ordinance for custodian to make good faith effort to produce; passive meeting bodies, basically advisory—do not have to give notice unless asked.

Public comment from Doug Comstock regarding fuller enforcement powers; originators assumed there would be fuller enforcement; Task Force not taken seriously

3. Public Comment. No public comment.

Meeting adjourned at 4:00 p.m.

Submitted by Donna L. Hall, Administrator

* The 3/26/02 Sunshine Ordinance Task Force Special Meeting has been recorded and is on file in the Sunshine Ordinance Task Force Office.

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Sunshine Ordinance Task Force

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Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of January 22, 2002 and February 26, 2002 and March 6, 2002. (5 min) Action item

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2. Report from Chair. (Hilda Bernstein) (5 min) Discussion item

   (a) Correspondence from Elections Commission President Tom Schulz
   (b) Attendance at meetings
   (c) Meetings with Supervisors Hall & Gonzalez
   (d) Meeting with Board of Supervisors' Rules & Audits Committee
   (e) Meeting with international visitors
   (f) Meeting with Deputy City Attorneys
   (g) Correspondence from Bruce Brugmann

3. Discussion regarding the ways and means of compelling appearances at a hearing before the Task Force. Hilda Bernstein (15 min) Discussion & possible action item

4. Report of Complaint Committee. (Paul Hogan) (5 min) Action item

   (a) Report of meeting of 1-25-02
   Order of Determination of complaint of Steve Cockrell against the Recreation and Park Department

   (b) Report of meeting of 2-12-02
   Jurisdiction of complaint of Helynna Brooke, Shelley Bell, Deborah Drysdale, James Bryant, Willie Kennedy against the Elections Commission

5. Public hearing, Complaint of Helynna Brooke, Shelley Bell, Deborah Drysdale, James Bryant, Willie Kennedy, against the Elections Commission regarding improper notification of meeting and improper meetings. (30 min) Action item

6. Report from Public Education and Information Committee. (Heather Sterner) (10 min) Discussion and action item.

   (a) Report of meeting of 2-20-02
   (b) Approval of Volunteer Community Liaison announcement

7. Report from Administrator. (Donna Hall) (5 min) Discussion item.

8. Public Comment.

Adjournment **Next Regular Meeting April 23, 2002**

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3/26/02
Arl 4:00p.m

Sunshine Ordinance Task Force

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-7724
Fax No. 554-5163
TDD/TTY No. 544-5227

http://www.ci.sf.ca.us/bdsupvrs/sunshine.htm

SUNSHINE ORDINANCE TASK FORCE

MINUTES*

Tuesday, March 26, 2002
4:00 p.m., City Hall, Room 408

Task Force Members

Seat 1	Joshua Koltun
Seat 2	Bruce Brugmann
Seat 3	Vince Courtney
Seat 4	Marie Harrison
Seat 5	Heather Sterner
Seat 6	Hilda Bernstein
Seat 7	Ted Kowalczuk
Seat 8	Vacant
Seat 9	Daniel Guillory
Seat 10	Paul Hogan
Seat 11	Marjorie Ann Williams
Ex-officio	Vacant
Ex-officio	Hala Hijazi

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(All motions adopted unanimously except as noted. First name indicates initiator of motion; second name indicates seconder of motion.)

Called to order at 4:00 p.m.

Roll Call: Present: Koltun, Brugmann, Harrison, Sterner, Bernstein, Kowalczuk, Guillory, Hogan, Williams. Absent: Courtney, Hijazi

1. Approval of minutes of January 22, 2002 and February 26, 2002 and March 6, 2002.

   Minutes approved. (Guillory/Hogan) (Courtney absent)

2. Report from Chair.

Chair Bernstein reported on the following items:

(a) Correspondence from Elections Commission President Tom Schulz
(b) Attendance at meetings
(c) Meetings with Supervisors Hall & Gonzalez
(d) Meeting with Board of Supervisors' Rules & Audits Committee
(e) Meeting with international visitors
(f) Meeting with Deputy City Attorneys
(g) Correspondence from Bruce Brugmann

3. Discussion regarding the ways and means of compelling appearances at a hearing before the Task Force.

Motion that this body recommend to the Ad Hoc Committee look into coming up with rigorous or tough or severe procedures, to let persons to know in advance what the consequences would be of not showing up, what the consequences would be of non-compliance. (Koltun/Guillory) (Courtney absent)

4. Report of Complaint Committee.

(a) Report from Committee Chair Hogan of Committee meeting of January 25, 2002; reported on the Order of Determination, prepared as a result of the Complaint Committee information for Steve Cockrell against the Department of Recreation and Parks.

Steve Cockrell addressed the Task Force at this time stating there were still issues remaining, i.e.,

(1) Unredacted public comment; asked the Task Force to address redaction;
(2) Waiver of copying fee;
(3) Availability; been allowed one or two days a week to view documents; have had to make an appointment;
(4) Library to have on file certain public documents; some were not on file and was told they would not be available for six months to one year; documents were made available to me.

Chair Bernstein requested the Ad Hoc Committee look at the issue of waiver of fees in some instances.

Task Force requested Administrator and Deputy City Attorney work with the Department and the Complainant to see if these issues may be resolved.

Motion adopted stating the Task Force has jurisdiction over this complaint and over the issue of the allegation of having to have an appointment and set a hearing for the next regular Task Force meeting. (Koltun/Hogan) (Courtney absent)

At this time Chair Bernstein recused herself from Item 4 (b) and Item 5. Vice Chair Koltun to chair this part of the meeting.

(b) Report of Committee Chair Hogan of Committee Meeting of 2-12-02.

Jurisdiction of complaint of Helynna Brooke, Shelley Bell, Deborah Drysdale, James Bryant, Willie Kennedy against the Elections Commission.

Motion adopted to go directly to a hearing (Hogan/Guillory) (Courtney absent)

5. Public hearing, Complaint of Helynna Brooke, Shelley Bell, Deborah Drysdale, James Bryant, Willie Kennedy, against the Elections Commission regarding improper notification of meeting and improper meetings.

Comment from Willie Kennedy regarding failed notice of initial meeting of Elections Commission; agenda was set for next meeting; resumes were looked at for appointments.

Comment from Shelley Bradford-Bell regarding emails being sent up to the Elections Commission being appointed; there was an agenda set with details; a majority attended the meeting; from the beginning there was intent to discuss organizational issues; they declined help from the Elections Department.

July Moll, Deputy City Attorney, addressed the Task Force, stating she called the new Commissioners and advised them because of technical reason that having a meeting wasn't a good idea; if they met to limit their discussion and could contribute items for agenda—not discuss the items; I believe they complied with the law; did not see a violation of the Sunshine Ordinance by the Commissioners; regarding the allegation of members of a committee of the Commission meeting without a publicly-noticed meeting; there is no evidence to support such a meeting.

Comment from Helynna Brooke regarding there was an appearance of who was to be Chair and Vice Chair at the first meeting; appearance to the public of a group that had already made the decision as to who would be appointed; in regards to the second alleged meeting, alleged all three members in the same room talking about the documents; overall just feel there has been a lot that has been swept under; would like to call for the removal of Commissioner Schulz and Shadoian.

Comment from James Bryant regarding Elections Commission first meeting; Commissioners did not take offer of help from Elections Department; feel we have a perception of a smoking gun; Deputy City Attorney changed her testimony; requested the affected Commissioners be removed.

Comment from Richard Shadoian, Vice President of the Elections Commission, regarding first meeting; tried to work through the Elections Department; did not get requested information; Deputy City Attorney stated she did not feel comfortable about having first meeting, however, if they do, follow the agenda they had shown her; advised to make no decisions; at the meeting we put together agenda items; no discussion about the agenda items to come before us later; at the informal meeting we discussed about interest in being an officer of the Commission; no agreement made at that meeting; we talked about if we had time to be chair of the Commission; this was a question the Deputy City Attorney said we could ask; never met on the personnel item; I was one of the three persons on the committee; we each chose individually separately.

Comment from Tom Schulz regarding first meeting; no substantive discussion on items on the agenda; email sent to Deputy City Attorney asking if items were okay; we checked with Deputy City Attorney so we would not be in violation of the law; we were trying to get started and stay within the law; we are committed to sunshine laws; we have integrity to make this work; we were advised this meeting was not subject to sunshine laws; had problems with Elections Department in getting orientation materials; discussion of roles we would take.

Public comment from Doug Comstock commending Mr. Schodian and Schulz for getting the Elections Commission up and going.

Member Koltun stated he did not see a violation of the Sunshine Ordinance with regard to the first meeting; regarding the three persons who did or did not meet, I am convinced if they all came back and had different recommendations there was not a violation of a seriatim meeting.

Deputy City Attorney Llorente stated in his opinion getting together to discuss an agenda is not a substantive meeting.

Member Hogan stated he was uncomfortable regarding the discussion at their first meeting regarding discussion of officers.

Motion adopted there was no violation of the Sunshine Ordinance of conducting a meeting of four appointed but not yet sworn-in members of the Elections Commission. (Brugmann/Harrison) (Hogan/Williams no) (Courtney absent)

Motion adopted that there was no violation regarding the three members of the Elections Commission reviewing applications for the Elections Commission Task Force. (Brugmann/Kowalczuk) (Courtney absent)

Chair Bernstein returned to the meeting at this time.

6. Report from Public Education and Information Committee.

Motion adopted approving the Volunteer Community Liaison announcement. (Sterner/Kowalczuk) (Koltun/Courtney absent)

7. Report from Administrator.

Administrator Donna Hall submitted written monthly report.

8. Public Comment.

No public comment.

Meeting adjourned at 7:00 p.m.

Submitted by Donna L. Hall, Administrator

*The 3/26/02 Sunshine Ordinance Task Force meeting has been recorded and is on file in the Sunshine Ordinance Task Force Office.

Sunshine Ordinance Task Force

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
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SUNSHINE ORDINANCE TASK FORCE
AGENDA

Tuesday, April 23, 2002
4:00 p.m.
City Hall, Room 408

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Vacant
Seat 2	Bruce Brugmann	Seat 9	Daniel Guillory
Seat 3	Vince Courtney	Seat 10	Paul Hogan
Seat 4	Marie Harrison	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Vacant
Seat 6	Hilda Bernstein	Ex-officio	Hala Hijazi
Seat 7	Ted Kowalczuk		

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Note: Each item on the Agenda may include minutes, department or agency letters and reports; Task Force reports; and public correspondence. These items will be available for review at City Hall, Sunshine Ordinance Task Force Office, Room 409.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of March 26, 2002 Special Meeting and March 26, 2002 Regular Meeting (5 min) Action item

2. Report from Chair. (Hilda Bernstein) (5 min) Discussion item

3. Report of Complaint Committee. (Paul Hogan) (5 min) Action item

   (a) Report of meeting of 4-16-02

(b) Jurisdiction of complaint of Environmental Law & Justice Clinic/School of Law/Golden Gate University.

(c) Jurisdiction of complaint of Peter Warfield.

4. Public hearing, Complaint of Steve Cockrell regarding availability of records, unresponsiveness of department, and unredacted information against the Department of Recreation and Park.

5. Public hearing, Complaint of Environmental Law & Justice Clinic/School of Law/Golden Gate University regarding the SFO RRP for denial of release of records and exclusion from meetings where decisions and policy recommendations are being made. (30 min) Action item

6. Public hearing, Complaint of Peter Warfield regarding the San Francisco Public Library failure to abide by posting requirements for agendas and minutes. (30 min) Action item

7. Report from Public Education and Information Committee. (Daniel Guillory) (5 min) Discussion item

   Report of meeting of 2-20-02

8. Report from Administrator. (Donna Hall) (5 min) Discussion item.

9. Public Comment.

Adjournment **Next Regular Meeting May 28, 2002**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, MONDAY THROUGH FRIDAY, CITY HALL, ROOM 244

Disability Access

The hearing room is wheelchair accessible.

Chemical-Based Products

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact Donna Hall by mail to Administrator, Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 409, San Francisco CA 94102-4689; by phone at 415 554 7724; by fax at 415 554 7854; or by email at Donna.Hall@sfgov.org.

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4/23/02

Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE

MINUTES*

Tuesday, April 23, 2002
4:00 p.m., City Hall, Room 408

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Vacant
Seat 2	Bruce Brugmann	Seat 9	Daniel Guillory
Seat 3	Vince Courtney	Seat 10	Paul Hogan
Seat 4	Marie Harrison	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Vacant
Seat 6	Hilda Bernstein	Ex-officio	Hala Hijazi
Seat 7	Ted Kowalczuk		

Note: First name indicates initiator of motion; second name indicates seconder of motion. All motions unanimous except as noted.

Roll Call Present: Koltun, Brugmann, Sterner, Bernstein, Kowalczuk, Guillory, Hogan, Williams. Absent: Courtney, Harrison

1. Approval of minutes of March 26, 2002 Special Meeting and March 26, 2002 Regular Meeting.

   Minutes of March 26, 2002 Special Meeting approved. (Guillory/Koltun)
   Minutes of March 26, 2002 Regular Meeting approved. (Koltun/Kowalczuk)

2. Report from Chair.

   Chair Bernstein reported no activity over the last month; thanked the Task Force for their work over the last two years.

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3. Report of Complaint Committee.

   (a) Report of meeting of 4-16-02
   (b) Jurisdiction of complaint of Environmental Law & Justice Clinic/School of Law/Golden Gate University.
   (c) Jurisdiction of complaint of Peter Warfield.

   Complaint Committee Chair Hogan reported on the above three items stating the Complaint Committee recommended the Task Force has jurisdiction over the complaint of Environmental Law & Justice Clinic/School of Law/Golden Gate University; and complaint of Peter Warfield.

4. Public hearing, Complaint of Steve Cockrell regarding availability of records, unresponsiveness of department, and unredacted information against the Department of Recreation and Park.

   Steve Cockrell addressed the Task Force regarding public records requests as to availability—having to have an appointment; unresponsiveness and late answers; and unredacted public comment; requested unredacted public comment; am receiving names and comments but not addresses; am denied survey information without addresses; requested draft plans which Recreation & Park Department says they do not now have because they sent them out.

   Public comment from Lurilla Harris stating if she appears before a commission she expects this to be public information.

   Order of Determination to include the following:

   Motion adopted that the redaction of addresses, emails and telephone numbers constitutes a violation of the Sunshine Ordinance. (Koltun/Hogan) (Bernstein, Sterner no) (Courtney, Harrison absent). The motion carried.

   Motion adopted that from the facts received from the Recreation and Park Department regarding the complainant having to have appointments, the Recreation & Park Department is required to comply with the Sunshine Ordinance in terms of allowing Mr. Cockrell to view the documents within five days of receiving the Order of Determination; and if that is not complied with the Task Force may refer the matter to enforcement bodies, including the District Attorney's Office to review for its own separate prosecution, or it could refer to the Ethics Commission for purposes of handling complaints of a willful act of misconduct. (Guillory/Williams) (Courtney, Harrison absent) The motion carried.

Motion adopted that insofar as the Recreation and Park Department neglected to retain copies of the documents in question, and therefore failed to produce them, that constitutes a violation of the Sunshine Ordinance. (Koltun/Sterner) (Courtney, Harrison absent) The motion carried.

Motion adopted that as to the alleged repeated withholding of overall documents that this matter be referred to the Ethics Commission (this motion does not include the issue of redaction). (Hogan/Brugmann) (Courtney, Harrison absent)

5. Public hearing, Complaint of Environmental Law & Justice Clinic/School of Law/Golden Gate University regarding the SFO RRP for denial of release of records and exclusion from meetings where decisions and policy recommendations are being made.

Alan Ramo addressed the Task Force on behalf of San Francisco BayKeeper and the Alliance for a Clean Waterfront regarding the failure of the Airport to release documents, and stating the SFO RRP Task Force Meetings should be open to the public.

Dorji Roberts, Deputy City Attorney, addressed the Task Force regarding the release of documents, stating the Sunshine Ordinance does not have discretion to release documents at this time; the Sunshine Ordinance does not give the City power to nullify nondisclosure requirements imposed by federal law; and secondly regarding the SFO RRP Task Force Meetings, stating the project task force is not a policy body as defined by the Sunshine Ordinance.

Kandace Bender, Communications Director, San Francisco Airport, spoke on behalf of the Airport.

Public comments from the following persons requesting documents be released:

Lurilla Harris
Norman Rolfe
Craig Breon
Eileen Boken
Arthur Feinstein
Nancy Wuerfel
Jennifer Clary
Eric Saddik
Ellen Blair
Shana Lazerow
Tom Tandoc
Mike Paquet
Mike Barnes
Corinne Woods
Amy Quirk

Public comment, Male, Bicycle Advisory Committee, regarding clarification of Sunshine Ordinance.

Discussion among the Task Force and Deputy City Attorney and Complainant representative Armo regarding whether or not the documents are under Federal regulations.

Deputy City Attorney Roberts stated he would inform the FAA regarding this public hearing.

Order of Determination to include the following:

Motion adopted that on the grounds the requested documents were created by City participation and City funding, the FOIA exemption does not take this out from under the Sunshine Ordinance, and the Sunshine Ordinance applies, and failure to disclose the requested records is a violation of the Sunshine Ordinance. (Koltun, Guillory) (Hogan no) (Courtney, Harrison)

Motion that the Task Force find the SFO RRP Task Force is a passive body. (Sterner/Williams) (Kowalczuk, Guillory, Hogan, Koltun no) (Courtney, Harrison absent) The motion failed.

Chair Bernstein left the meeting at this time. Vice Chair Koltun replaced Chair Bernstein at this time.

9. Public Comment. No public comment.

6. Public hearing, Complaint of Peter Warfield regarding the San Francisco Public Library failure to abide by posting requirements for agendas and minutes.

Deputy City Attorney Ernest Llorente recused himself from this item. Deputy City Attorney David Greenburg will be legal counsel for this item.

Peter Warfield addressed the Task Force stating his complaint against the San Francisco Public Library regarding the failure of the Library to abide by posting requirements for agendas and minutes.

Michael Housh, Library Commission Secretary, addressed the Task Force stating the Public Library failed to post notices and agendas for the prior three years; failed to replace posted draft minutes with approved minutes; and stated the agenda for the March 21, 2002 meting was posted less than 72 hours prior to the meeting. Mr. House stated the items in the complaint had been remedied, the Library is now in conformance with the Sunshine Ordinance; and the Library will make sure that they will continue to be in compliance.

Order of Determination to include the following:

Motion adopted: (1) that the Sunshine Ordinance Task Force finds there is a violation of the Sunshine Ordinance with regard to the posting of Library Commission agendas and minutes; and (2) the San Francisco Public Library has taken steps to remedy this situation; and (3) the San Francisco Public Library is currently in compliance with the Sunshine Ordinance. (Hogan/Guillory) (Courtney, Harrison, Bernstein absent)

7. Report from Public Education and Information Committee.

Committee Chair Daniel Guillory reported on Committee meeting of February 20, 2002.

8. Report from Administrator.

Administrator Donna Hall presented monthly report.

The meeting adjourned at 7:45 p.m.

Submitted by Donna L. Hall, Administrator

*The 4/23/02 Sunshine Ordinance Task Force meeting has been recorded and is on file in the Sunshine Ordinance Task Force Office.

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Sunshine Ordinance Task Force

City Hall
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MAY 23 2002

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SUNSHINE ORDINANCE TASK FORCE
SPECIAL MEETING
AGENDA
Tuesday, May 28, 2002
3:00 p.m.
City Hall, Room 408

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Marie Harrison	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

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Call to Order
Roll Call
Agenda Changes

1. Oaths of Office. (5 min) Discussion item. (No attachments)

2. Presentation of certificates to outgoing Task Force Members. (10 min) Discussion item. (No attachments)

3. Adjourn for a short reception honoring outgoing Task Force Members. Discussion item. (No attachments)

4. Election of Officers. (10 min) (Action item)

   (a) Chair
   (b) Vice Chair

5. Approval of minutes of April 23, 2002. (5 min) Action item

6. Report of Complaint Committee. (Joshua Koltun) (5 min) Action item

   (a) Report of meeting of 5-16-02
   (b) Jurisdiction of complaint of Anthony Imperial against the Human Rights Commission.

7. Public hearing, Anthony Imperial against the Human Rights Commission for failure to produce records. (20 min) Action item.

8. Annual Sunshine OrdinanceTask Force Training. (40 min) Discussion item. (No attachments)

   (a) Sunshine Ordinance provisions (Jackie Minor)
   (b) Statement of Economic Interest provisions (Chad Jacobs)

9. Report from Administrator. (Donna Hall) (5 min) Discussion item.

10. Public Comment. (No attachments)

Adjournment **Next Regular Meeting June 25, 2002**

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Disability Access

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact Donna Hall by mail to Administrator, Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 409, San Francisco CA 94102-4689; by phone at 415 554 7724; by fax at 415 554 7854; or by email at Donna.Hall@sfgov.org.

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Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
SPECIAL MEETING

MINUTES*

Tuesday, May 28, 2002, 3:00 p.m.
City Hall, Room 408

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JUN 27 2002

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Task Force Members

Seat 1	Joshua Koltun
Seat 2	Bruce Brugmann
Seat 3	Richard Knee
Seat 4	Marie Harrison
Seat 5	Heather Sterner
Seat 6	Doug Comstock
Seat 7	Sue Cauthen
Seat 8	Garrett Jenkins
Seat 9	David Parker
Seat 10	Alexandra Nickliss
Seat 11	Marjorie Ann Williams
Ex-officio	Hala Hijazi
Ex-officio	Donna Hall

Note: First name indicates initiator of motion; second name indicates seconder of motion. All motions unanimous except as noted.

Roll Call Present: Koltun, Knee, Harrison, Sterner, Comstock, Cauthen, Jenkins, Parker, Nickliss. Absent: Brugmann, Williams

1. Oaths of Office

   Oaths of office given by Deputy Clerk Madeleine Licavoli to Joshua Koltun, Richard Knee, Heather Sterner, Doug Comstock, Sue Cauthen, Garrett Jenkins, David Parker, Alexandra Nickliss.

2. Presentation of certificates to outgoing Task Force Members

   Administrator Donna Hall presented outgoing Task Force Member certificates to Bob Planthold, Paul Hogan, Ted Kowalczuk; also a certificate to Deputy City Attorney Jackie Minor.

3. Adjourn for a short reception honoring outgoing Task Force Members

   Meeting adjourned for reception.

4. Election of Officers

   Meeting reconvened.

   (a) Chair

   Member Knee nominated Member Koltun as Chair. No further nominations. (Unanimous vote in favor of Member Koltun as Chair) (Brugmann, Williams absent)

   (b) Vice Chair

   Member Parker nominated himself as Vice Chair. Member Comstock nominated Member Jenkins as Vice Chair. No further nominations. Member Jenkins elected Vice Chair. (Voting for Jenkins: Koltun, Knee, Harrison, Sterner, Comstock, Cauthen, Jenkins, Nickliss. Voting for Parker: Parker) (Brugmann, Williams absent)

5. Approval of minutes of April 23, 2002

   Minutes approved. (Jenkins, Parker) (Brugmann, Williams absent)

6. Report of Complaint Committee

   (a) Report of meeting of 5-16-02
   Member Koltun reported on the Complaint Committee meeting of 5-16-02

   (b) Jurisdiction of complaint of Anthony Imperial against the Human Rights Commission

   Motion adopted approving Task Force jurisdiction of the complaint of Anthony Imperial against the Human Rights Commission for failure to produce records. (Knee, Parker) (Brugmann, Williams absent)

7. Public hearing, Anthony Imperial against the Human Rights Commission for failure to produce records

   Motion adopted continuing this item to a time when the complainant can attend. (Harrison, Sterner) (Brugmann, Williams absent)

8. Annual Sunshine OrdinanceTask Force Training

   (b) Statement of Economic Interest provisions

   Deputy City Attorney Chad Jacobs presented training.

   (a) Sunshine Ordinance provisions

   Deputy City Attorney Jackie Minor presented training.

9. Report from Administrator

   Administrator Donna Hall presented monthly report.

10. Public Comment

    No public comment.

The meeting adjourned at 5:30 p.m.

Submitted by Donna L. Hall, Administrator

*The 5/28/02 Sunshine Ordinance Task Force meeting has been recorded and is on file in the Sunshine Ordinance Task Force Office.

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6/12/02
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Sunshine Ordinance Task Force

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JUN 7 2002
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SUNSHINE ORDINANCE TASK FORCE

SPECIAL MEETING

AGENDA

Wednesday, June 12, 2002
9:00 a.m.
City Hall, Room 263

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Marie Harrison	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

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Call to Order
Roll Call
Agenda Changes

1. Public hearing, Anthony Imperial against the Human Rights Commission for failure to produce records. (20 min) Action item.

2. Public Comment. (No attachments)

Adjournment **Next Regular Meeting June 25, 2002**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, MONDAY THROUGH FRIDAY, CITY HALL, ROOM 244

Disability Access

The hearing room is wheelchair accessible.

Chemical-Based Products

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

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Sunshine Ordinance Task Force

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-7724
Fax No. 554-5163
TDD/TTY No. 544-5227

http://www.sfgov.org/bdsupvrs/sunshine.htm

SUNSHINE ORDINANCE TASK FORCE
SPECIAL MEETING

MINUTES*

Wednesday, June 12, 2002, 9:00 a.m.
City Hall, Room 263

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JUN 27 2002

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Task Force Members

Seat 1	Joshua Koltun
Seat 2	Bruce Brugmann
Seat 3	Richard Knee
Seat 4	Marie Harrison
Seat 5	Heather Sterner
Seat 6	Doug Comstock
Seat 7	Sue Cauthen
Seat 8	Garrett Jenkins
Seat 9	David Parker
Seat 10	Alexandra Nickliss
Seat 11	Marjorie Ann Williams
Ex-officio	Hala Hijazi
Ex-officio	Donna Hall

Note: First name indicates initiator of motion; second name indicates seconder of motion. All motions unanimous except as noted.

Roll Call: Present: Koltun, Knee, Comstock, Cauthen, Jenkins, Parker
Absent: Brugmann, Harrison, Sterner, Nickliss, Williams, Hijazi

1. Public hearing, Anthony Imperial against the Human Rights Commission for failure to produce records.

   Anthony Imperial, Complainant, addressed the Task Force.
   Catharine Barnes, Deputy City Attorney, representing the Human Rights Commission, addressed the Task Force.

Order of Determination adopted as follows: (Koltun, Knee) (Brugmann, Harrison, Sterner, Nickliss, Williams absent)

> Pursuant to the stipulations of the parties of this complaint, the Human Rights Commission will produce all public records including phone logs, within the last 12 months, of any form of complaint or protest involving contracts that were awarded during this period.

2. Public Comment. No public comment.

The meeting adjourned at 10:55 a.m.

Submitted by Donna L. Hall, Administrator

*The 6/12/02 Sunshine Ordinance Task Force meeting has been recorded and is on file in the Sunshine Ordinance Task Force Office.

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Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE

AGENDA

Tuesday, June 25, 2002
4:00 p.m.
City Hall, Room 408

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Marie Harrison	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Note: Each item on the Agenda may include minutes, department or agency letters and reports; Task Force reports; and public correspondence. These items will be available for review at City Hall, Sunshine Ordinance Task Force Office, Room 409.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of May 28, 2002 and June 12, 2002. (5 min.) (Action item)

2. Commendation to Hilda Bernstein. (5 min.) (Discussion item) (Joshua Koltu

3. Chair report. (5 min.) (Discussion item) (Joshua Koltun)

   (a) International Visitors
   (b) Appointments to Standing Committees

4. Report from the City Administrator on progress of index of records. (15 min.) (Discussion item) (Jill Lerner)

5. Complaint Committee report. (15 min.) (Sue Cauthen)

   (a) Report of meeting of 6-19-02. (Discussion item)
   (b) Order of Determination, John Darmanin, Complainant. (Action item)

6. Public hearing, complaint of Louis Calabro against Police Department for failure to assist in locating records. (20 min.) (Action item)

7. Public hearing, complaint of Kevin Heneghan against Supervisors Daly, McGoldrick, Maxwell for failure to produce records. (20 min.) (Action item)

8. Public hearing, complaint of Patrick Monette-Shaw against San Francisco HV Health Services Planning Council (Ryan White CARE Council) for failing to post to the internet numerous meeting agendas and numerous minutes of meetings of the CARE Council; conducting meetings in secret without notice for participation from the public; failing to provide unredacted list of CARE Council members. (20 min.) (Action item)

9. Date and time of regular Task Force meetings. (5 min.) (Discussion item) (Joshua Koltun)

10. Administrator report. (5 min.) (Discussion item) (Donna Hall)

11. Future agenda items. (5 min.) (Discussion item)

12. Public Comment.

Adjournment **Next Regular Meeting July 23, 2002**

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Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE

MINUTES*

Tuesday, June 25, 2002
4:00 p.m.
City Hall, Room 408

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Task Force Members

Seat 1	Joshua Koltun
Seat 2	Bruce Brugmann
Seat 3	Richard Knee
Seat 4	Marie Harrison
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Seat 6	Doug Comstock
Seat 7	Sue Cauthen
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Seat 11	Marjorie Ann Williams
Ex-officio	Hala Hijazi
Ex-officio	Donna Hall

Note: First name indicates initiator of motion; second name indicates seconder of motion. All motions unanimous except as noted.

Roll Call: Present: Koltun, Brugmann, Knee, Sterner, Comstock, Cauthen, Jenkins, Nickliss, Williams. Absent: Harrison, Parker

Agenda Changes: Item 7 to be considered first.

7. Public hearing, complaint of Kevin Heneghan against Supervisors Daly, McGoldrick, Maxwell for failure to produce records

No public hearing. This matter was resolved between the parties.

The following Order of Determination was adopted: (Jenkins/Knee) (Harrison, Parker absent)

The parties agree to the following resolution of Kevin Heneghan's Sunshine Ordinance Task Force complaint against Supervisors Daly, McGoldrick and Maxwell: although no violation of the Sunshine Ordinance occurred, the Supervisors will direct their staff to review and re-familiarize themselves with the Board of Supervisors' record retention policy regarding constituent correspondence to ensure that constituent correspondence that should be retained is in fact retained and made available for public inspection.

The above resolution along with an explanation of the complaint will be attached to the Order of Determination.

1. Approval of minutes of May 28, 2002 and June 12, 2002

Minutes approved as amended (May 28, 2002 minutes amended, Item 4 Member Comstock nominated Member Jenkins as Vice Chair.) (Jenkins/Nickliss) (Harrison, Parker absent)

2. Commendation to Hilda Bernstein

Chair Koltun read Commendation to Hilda Bernstein; Hilda Bernstein was not in attendance; however presented letter of appreciation to the Task Force.

3. Chair report

Chair Koltun gave his report.

(a) International Visitors from Bulgaria and Macedonia
(b) Appointments to Standing Committees

Rules Committee
Marie Harrison, Chair
David Parker
Bruce Brugmann

Public Education & Information Committee
Bruce Brugmann, Chair
Garrett Jenkins
Marjorie Williams

Complaint Committee
Sue Cauthen, Chair
Doug Comstock
David Parker

Ad Hoc Committee on Proposed Amendments to Sunshine Ordinance
Heather Sterner, Chair
Richard Knee
Alexandra Nickliss

4. Report from the City Administrator on progress of index of records

Jill Lerner from City Administrator's Office presented six-month report on the progress of the index of records.

5. Complaint Committee report

(a) Report of meeting of 6-19-02

Committee Chair Cauthen reported on Complaint Committee meeting of 6-19-02

(b) Order of Determination, John Darmanin, Complaint against the Fire Department for failure to allow public comment on a specific Fire Commission agenda item

Motion adopted approving Complaint Committee recommendation of Order of Determination as follows: (Jenkins/Nickliss) (Harrison, Parker absent)

1. The Sunshine Ordinance Task Force does have jurisdiction over this complaint based on the allegations of non-compliance of allowing public comment on each item on the agenda of the Fire Commission.

2. The Complaint Committee and the Sunshine Ordinance Task Force find the allegations of John Darmanin against the Fire Department to be true regarding failure to provide public comment before, during or after the discussion of a specific agenda item on the Fire Commission agenda.

3. The Complaint Committee and the Sunshine Ordinance Task Force find that the violations raised by the complainant have recently been brought to the attention of the Fire Commission and the Fire Commission is aware of the violation and has assured the Sunshine Ordinance Task Force that this would be corrected by the Fire Commission.

6. Public hearing, complaint of Louis Calabro against Police Department for failure to assist in locating records

Louis Calabro spoke on his behalf requesting an apology from the Police Department for the time it took to receive the records.

R. Rapagnani spoke on behalf of the Police Department, apologizing to Mr. Calabro for the length of time to receive the records.

Order of Determination adopted as follows: (Jenkins/Cauthen) (Harrison, Parker absent)

> Based on information provided the Task Force from Complainant Louis Calabro and from R. Rapagnani from the Police Department, the Police Department consents that the request of Mr. Calabro for records was not responded to in a timely manner; the Police Department apologizes for the length of time it took for Mr. Calabro to receive the records; the Police Department to contact the City Attorney's Office to schedule Sunshine Ordinance training.

12. Public Comment

Patrick Monette-Shaw spoke regarding Department of Public Health web page.

8. Public hearing, complaint of Patrick Monte-Shaw against San Francisco HIV Health Services Planning Council (Ryan White CARE Council) for failing to post to the internet numerous meeting agendas and numerous minutes of meetings of the CARE Council; conducting meetings in secret without notice for participation from the public; failing to provide underrated list of CARE Council members.

Patrick Monette-Shaw spoke on his behalf.
Eric Whitney spoke on behalf of the HIV Health Services Council
Michelle Long Dixon spoke on behalf of the Department of Public Health

Marjorie Ann Williams spoke during public comment regarding the $2.5 Million cut.

Based on the information provided by the Complainant and the HIV Health Services Council and the Department of Public Health, the following Order of Determination was adopted: (Cauthen/Jenkins) (Harrison, Parker absent)

(1) The Planning Council agrees that the San Francisco HIV Health Services Planning Council is subject to the Sunshine Ordinance regarding availability of minutes and agendas on the City's web site.

Effective immediately the HIV Health Services Planning Council will:

- Ensure that past agendas and minutes (from May 2001 forward) are posted to either the DPH website or the HIV Health Services Planning Council website, which should be running by September 1, 2002;

- Continue to post Council agendas to either the DPH website or the HIV Health Services Planning Council website at least 72 hours in advance of the meeting;

- Post Council meeting minutes to either the DPH website or the newly created HIV Health Services Planning Council website within 48 hours following approval of the minutes. Minutes will be available for inspection and photocopying at the Council office;

- State on the website, agenda and minutes how items will be posted and where back issues can be accessed.

- Continue to post a written notice of Council meetings on the SF Public Library bulletin board

- Determine the meeting agenda soon enough in advance of the meetings to meet posting deadlines.

(2) The HIV Planning Council acknowledges that the February 25 and 27 Council meeting agenda did not identify the agenda items sufficiently clear for everyone to understand; the Council to identify items more clearly.

(3) The HIV Planning Council acknowledges that the local CARE Council membership listing provided the Complainant was not readable and improperly redacted. A new listing is being provided.

(4) The HIV Planning Council will schedule Sunshine Ordinance training through the City Attorney's Office.

The Task Force requested the City Attorney's Office to look into the matter of the Federal Guidelines not releasing information as to what the reasons were to warrant the $2.5 million cut from the HIV Planning Council grant.

9. Date and time of regular Task Force meetings

Administrator to check with Media Services to see about availability for a different beginning time.

10. Administrator report

Administrator Donna Hall submitted report.

11. Future agenda items

Report on email policy (from City Attorney's Office)
Report on progress of index (Administrator)
Report from IT person in DTIS regarding technology of accessing items on website (Administrator)
Discussion of privacy of names and addresses of constituent correspondence (from City Attorney's Office)

The meeting adjourned at 7:10 p.m.

Submitted by Donna L. Hall, Administrator

*The 6/25/02 Sunshine Ordinance Task Force meeting has been recorded and is on file in the Sunshine Ordinance Task Force Office.

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Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE

AGENDA

Tuesday, July 23, 2002
4:00 p.m.
City Hall, Room 408

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Marie Harrison	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

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Note: Each item on the Agenda may include minutes, department or agency letters and reports; Task Force reports; and public correspondence. These items will be available for review at City Hall, Sunshine Ordinance Task Force Office, Room 409.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of June 25, 2002. (5 min.) (action item)

2. Chair report. (Joshua Koltun) (5 min) (discussion item)

3. Report from City Attorney's Office regarding constituent correspondence. (Edward Olsen) (10 min) (discussion item)

4. Report from Public Education & Information Committee meeting of 7-11-02. (Bruce Brugmann) (5 min) (discussion item)

5. Report from Complaint Committee meeting of 7-16-02. (Sue Cauthen) (15 min) (action item)

   (a) Approval of recommendation of Complaint Committee for jurisdiction of complaint of Marilyn Amini against the Planning Department and Planning Commission. (See information under Item #6)

   (b) Approval of recommendations of Complaint Committee for jurisdiction of complaint of Jason Grant Garza against the Department of Public Health. (See information under Item #7)

6. Public hearing, complaint of Marilyn Amini against the Planning Department and Planning Commission for failure to include submitted material for Planning Commission public hearing; Brown Act violation; alteration of public records; failure to include submitted material. (20 min) (action item)

7. Public hearing, complaint of Jason Grant Garza against Department of Public Health, Department of Mental Health, City Attorney, for failure to produce records in a timely fashion, and for failure to produce all of the complainant's medical records. (20 min) (action item)

8. Discussion of role of Ad Hoc Committee on Proposed Amendments to Sunshine Ordinance. (Joshua Koltun) (20 min) (discussion and possible action)

9. Report from Administrator (5 min) (discussion item)

10. Public comment.

11. Future agenda items. (5 min) (discussion item)

Adjournment **Next Regular Meeting August 27, 2002**

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23/02

SUNSHINE ORDINANCE TASK FORCE

MINUTES*

TUESDAY, JULY 23, 2002
4:00 p.m.
City Hall, Room 408

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Task Force Members

Seat 1	Joshua Koltun
Seat 2	Bruce Brugmann
Seat 3	Richard Knee
Seat 4	Marie Harrison
Seat 5	Heather Sterner
Seat 6	Doug Comstock
Seat 7	Sue Cauthen
Seat 8	Garrett Jenkins
Seat 9	David Parker
Seat 10	Alexandra Nickliss
Seat 11	Marjorie Ann Williams
Ex-officio	Hala Hijazi
Ex-officio	Donna Hall

Note: First name indicates initiator of motion; second name indicates seconder of motion. All motions unanimous except as noted.

The meeting convened at 4:05 p.m.

Roll Call: Present: Koltun, Brugmann, Knee, Harrison, Sterner, Comstock, Cauthen, Jenkins, Parker, Nickliss, Williams, Hijazi. Absent: Hall

1. Approval of minutes of June 25, 2002. Motion adopted approving minutes. (Cauthen/Nickliss)

2. Chair report.

   No report.

3. Report from the City Attorney's Office regarding constituent correspondence. (Edward Olsen)

   Edward Olsen, Deputy City Attorney, explained the analysis of the Board's policy contained in a letter to the Clerk of the Board from the City Attorney's Office dated July 21, 2000 with regard to the Clerk of the Board's obligation in regards to constituent correspondence.

4. Report from Public Education & Information Committee meeting of July 11, 2002.

   Committee Chair Bruce Brugmann reported on:

   - Task Force Member Brugmann and Task Force Member Cauthen made a presentation at the West of Twin Peaks Council and San Francisco Tomorrow.

   - A formal motion was adopted at the Public Education and Information Committee to request from current and former Task Force Members their interest in the position of Volunteer Community Liaison; also to contact Hastings Law School and possibly other college institutions for volunteers to work with the Volunteer Community Liaison.

   - The committee decided to meet regularly at 4:00 p.m. the second Thursday of each month.

   - Task Force Member Cauthen stated the Committee discussed preparing a model form for public records requests and a model procedures for public records requests; the Committee discussed the Procedures for Public Records Request from the San Francisco Library.

5. Report from Complaint Committee meeting of July 16, 2002.

   Committee Chair Cauthen reported the Complaint Committee recommended:

   - Approval of recommendation of Complaint Committee for jurisdiction of complaint of Marilyn Amini against the Planning Department and Planning Commission.

   - Approval of recommendation of Complaint Committee for jurisdiction of complaint of Jason Grant Garza against the Department of Public Health.

Public comment from Michael Stoll stating he would submit a complaint to the Task Force regarding denial of a request to get copies of phone bills.

Public comment from male community person regarding Sunshine Ordinance versus the Brown Act.

6. Public hearing, complaint of Marilyn Amini against the Planning Department and Planning Commission for failure to include submitted material for Planning Commission public hearing; Brown Act violation; alteration of public records; failure to include submitted material.

   Mr. Llorente stated that his jurisdictional letter did not specifically address the Board of Appeals or Citywatch, but mainly addressed his jurisdictional issues to Planning. After the jurisdictional hearing, the Task Force Administrator did contact the Board of Appeals custodian of records, Mr. Feldman, as well as a representative of Citywatch, and they will give them all the materials regarding the complaint. Citywatch and Planning are here to testify, but not the Board of Appeals. Citywatch and the Board of Appeals are on notice that there is a complaint and they have responded. He could do an addendum to his letter indicating that he finds jurisdiction with regard to the Board of Appeals and Citywatch for purpose of jurisdiction only and then have a full hearing as far as the merits.

   Ms. Amini requested a continuance until Mr. Llorente names all respondents in the jurisdiction and until everyone receives a copy of her complaint packet in order to respond to the complaint.

   Task Force Member Koltun requested a continuance to September 24, 2002.

   Priscilla Watts, General Manager of Citywatch, requested a copy of the videotape that Ms. Amini has that indicates that the information was deleted.

   Ms. Avery requested a copy of the audiotape in which Ms. Amini says sections have been deleted.

7. Public hearing, complaint of Jason Grant Garza against Department of Public Health, Department of Mental Health, City Attorney, for failure to produce records in a timely fashion, and for failure to produce all of the complainant's medical records.

   Mr. Garza presented his testimony.

   Mr. Jim Gilday, Community Mental Health Services Quality Management, Department of Public Health stated that Mr. Garza submitted a written request to his office dated May 9 that was received by his office on May 14 and by May 24, two large packets totaling 367 pages including his entire medical records, the transcript of all of his grievance materials and the volumes of material that he himself

submitted was made available to him. That is ten calendar days after his request was received. He picked up these records. A fee of ten cents per page was requested to cover the expenses of reproducing this material which is still outstanding. They are unaware of anything they have failed to give him at this point.

Mr. Garza stated that the letter he sent was delivered on May 10 as he has a return receipt. Mr. Gilday stating that it was received on May 14 is a misrepresentation. He did not pick up the material until May 28, so the timeframe is 18 days. He did not receive a phone call on May 24 to pick up the material as stated by Mr. Gilday.

Task Force Member Koltun stated that the complainant's medical records are not public records and that's why this issue would not fall under the jurisdiction of the Sunshine Ordinance.

Motion that the Sunshine Ordinance Task Force finds without prejudice to the complaint that the complaint does not fall under the jurisdiction of the Sunshine Ordinance (Knee/Parker). Ayes: Koltun, Knee, Sterner, Parker. Noes: Brugmann, Harrison, Comstock, Cauthen, Jenkins, Nickliss, Williams. Motion failed.

Order of Determination adopted that Mr. Gilday of the Community Mental Health Services Quality Management Section of the Department of Public Health did not respond to Mr. Garza in a timely manner in order for him to have his State Fair hearing with all the required information; a letter be drafted to Mr. Gilday's higher-ups that this Task Force found in favor of the complainant; the letter to state that the Department did not respond and act in a timely manner, and than email or fax requests are an acceptable form of communication. (Comstock/Cauthen) Ayes: Brugmann, Knee, Harrison, Sterner, Comstock, Cauthen, Jenkins, Nickliss, Williams. Noes: Koltun, Parker

Mr. Garza stated that he did not receive the record of the conversation between his doctor and the Department of Public Health's attorney; therefore, there may have been other records he was not given and his medical records are incomplete.

Motion adopted to accept the finding that the records were incompletely delivered to Mr. Garza by the Department of Public Health (Comstock/Harrison) Ayes: Brugmann, Harrison, Comstock, Jenkins, Nickliss, Williams. Noes: Koltun, Knee, Sterner, Cauthen, Parker

Public comment from male community person regarding keeping of logs of all conversations for billing purposes.

8. Discussion of role of Ad Hoc Committee on Proposed Amendments to Sunshine Ordinance

   Continued to the next meeting of the Sunshine Ordinance Task Force meeting to discuss (1) whether a separate Compliance Committee should be created; and (2) disbanding or keeping the Ad Hoc Committee.

9. Report from Administrator.

   Written report submitted by Administrator Donna Hall.

10. Public Comment

    Public comment from Peter Warfield encouraging the Sunshine Ordinance Task Force to follow-up on compliance.

11. Future Agenda Items

    Task Force Member Comstock requested a discussion of the six-page letter in the packet from City College of San Francisco regarding the fact that they do not comply with the Sunshine Ordinance.

    Task Force Member Koltun asked to recuse himself from this item and have all communication directed to Task Force Member Jenkins.

The meeting adjourned at 8:35 p.m.

Submitted by Monica Fish, Clerk

*The 7/23/02 Sunshine Ordinance Task Force meeting has been recorded and is on file in the Sunshine Ordinance Task Force Office.

Sunshine Ordinance Task Force

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-7724
Fax No. 554-7854
TDD/TTY No. 544-5227

http://www.sfgov.org/bdsupvrs/sunshine.htm

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SUNSHINE ORDINANCE TASK FORCE

AGENDA

Tuesday, August 27, 2002
4:00 p.m.
City Hall, Room 408

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Marie Harrison	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Note: Each item on the Agenda may include minutes, department or agency letters and reports; Task Force reports; and public correspondence. These items will be available for review at City Hall, Sunshine Ordinance Task Force Office, Room 409.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of July 23, 2002. (5 min) (action item)

2. Report from Rules Committee meeting of 8-7-02. (Bruce Brugmann) (5 min) (action items)

   (a) Approval of recommendation from Rules Committee to maintain the current starting time of Task Force meetings for 4:00 p.m.

(b) Approval of recommendation from Rules Committee to create one ex-officio, non-voting, youth member position to serve on the Task Force and all committees.

(c) Approval of recommendation from Rules Committee to set a public hearing for a by-laws change to establish a Compliance and Amendments Committee. (See information under Item #3)

3. Public hearing, amendment to Article VI – Committees, Section 1. Standing Committees, of Sunshine Ordinance Task Force By-Laws, by adding a Compliance and Amendments Committee to Standing Committees. (Bruce Brugmann) (10 min) (action item)

4. Report from Complaint Committee meeting of 8-7-02. (Sue Cauthen) (15 min) (action items)

(a) Approval of recommendation of Complaint Committee for jurisdiction of complaint of Frederick Hobson against the Drug Abuse Advisory Board regarding refusal to provide public information; failure to notify time of meeting in a timely fashion; taking action without a quorum. (See information under Item #5)

(b) Approval of recommendation of Complaint Committee for jurisdiction of complaint of Frederick Hobson against the Animal Control & Welfare Commission regarding failure to provide records. (See information under Item #6)

(c) Approval of recommendation of Complaint Committee of no jurisdiction of complaint of Frederick Hobson against the Animal Control & Welfare Commission regarding failure to provide agendas and minutes.

(d) Approval of recommendation of Complaint Committee of no jurisdiction of complaint of Catherine Tchen against the Animal Control & Welfare Commission regarding failure to provide agendas and minutes.

(e) Approval of recommendations of Complaint Committee for (1) jurisdiction of complaint of Jason Grant Garza against the San Francisco Sheriff's Department regarding failure to provide records; and (2) approval of the motion adopted by the Complaint Committee that the custodian of records did not properly respond to the request because the signature on the letter was not the actual signer of the letter. (See information under Item #7)

5. Public hearing, complaint of Frederick Hobson against the Drug Abuse Advisory Board regarding refusal to provide public information; failure to notify time of meeting in a timely fashion; taking action without a quorum. (20 min) (action item)

6. Public hearing, complaint of Frederick Hobson against the Animal Control & Welfare Commission regarding failure to provide records. (20 min) (action item)

7. Public hearing, complaint of Jason Grant Garza against the San Francisco Sheriff's Department regarding failure to provide records. (20 min) (action item)

8. Discussion regarding City College of San Francisco compliance with the Sunshine Ordinance. (Doug Comstock) (10 min) (discussion & possible action item)

9. Discussion regarding model public records request procedures. (Sue Cauthen) (20 min) (discussion and possible action item)

   (a) Public Library request procedure

10. Report from Administrator (5 min) (discussion item)

11. Public comment.

12. Future agenda items. (5 min) (discussion item)

Adjournment

Next Regular Meeting September 24, 2002

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, MONDAY THROUGH FRIDAY, CITY HALL, ROOM 244

Disability Access

The hearing room is wheelchair accessible.

Chemical-Based Products

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Cell phones, pagers and similar sound-producing electronic devices

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact Donna Hall by mail to Administrator, Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 409, San Francisco CA 94102-4689; by phone at 415 554 7724; by fax at 415 554 7854; or by email at Donna.Hall@sfgov.org.

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SUNSHINE ORDINANCE TASK FORCE

MINUTES*

Tuesday, August 27, 2002
4:00 p.m., City Hall, Room 408

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Task Force Members

Seat 1	Joshua Koltun
Seat 2	Bruce Brugmann
Seat 3	Richard Knee
Seat 4	Marie Harrison
Seat 5	Heather Sterner
Seat 6	Doug Comstock
Seat 7	Sue Cauthen
Seat 8	Garrett Jenkins
Seat 9	David Parker
Seat 10	Alexandra Nickliss
Seat 11	Marjorie Ann Williams
Ex-officio	Hala Hijazi
Ex-officio	Donna Hall

Note: First name indicates initiator of motion; second name indicates seconder of motion. All motions unanimous except as noted.

The meeting convened at 4:00 p.m.

Roll Call: Present: Koltun, Brugmann, Knee, Sterner, Comstock, Cauthen, Jenkins, Parker, Nickliss, Hall. Absent: Harrison, Williams, Hijazi

Agenda changes: Items 8 and 9 removed from agenda.

1. Approval of minutes of July 23, 2002.

   Minutes approved as amended (Item # 8 clarified). (Parker/Sterner) (Harrison, Williams absent)

   Public comment from Peter Warfield regarding the minutes.

Public comment from Marilyn Amini regarding the minutes.

2. Report from Rules Committee meeting of 8-7-02.

Bruce Brugmann reported on Rules Committee meeting of 8-7-02.

(a) Approval of recommendation from Rules Committee to maintain the current starting time of Task Force meetings for 4:00 p.m.

Motion adopted approving recommendation of Rules Committee to maintain the current starting time of Task Force meetings for 4:00 p.m. (Nickliss/Cauthen) (Harrison, Williams absent)

(b) Approval of recommendation from Rules Committee to create one ex-officio, non-voting, youth member position to serve on the Task Force and all committees.

Motion adopted to create one ex-officio, non-voting, youth member position to serve on the Task Force and all committees for one-year term. (Parker/Jenkins) (Harrison, Williams absent)

Public comment from Lurilla Harris regarding the ex-officio member.

Public comment from Jason Grant Garza regarding the ex-officio member position.

(c) Approval of recommendation from Rules Committee to set a public hearing for a by-laws change to establish a Compliance and Amendments Committee.

Motion adopted approving recommendation of Rules Committee to set a public hearing for a by-laws change to establish a Compliance and Amendments Committee. (Cauthen/Comstock) (Harrison, Williams absent)

Public comment from Peter Warfield regarding the new committee.

3. Public hearing, amendment to Article VI – Committees, Section 1. Standing Committees, of Sunshine Ordinance Task Force By-Laws, by adding a Compliance and Amendments Committee to Standing Committees.

Public comment from Jason Grant Garza regarding enforcement procedures.

Public comment from Peter Warfield regarding support of change.

Motion adopted amending Sunshine Ordinance Task Force By-Laws Article VI—Committees, Section 1. Standing Committees, by adding (d) Compliance and Amendments Committee, as follows: (Parker/Jenkins) (Harrison, Williams absent)

(d) Compliance and Amendments Committee

The Compliance and Amendments Committee shall monitor compliance with the Orders of Determination adopted by the Task Force; shall recommend to the Task Force amendments to the Sunshine Ordinance regarding enforcement of the Orders of Determination; and shall consider and recommend any other additions, amendments, and changes to the Sunshine Ordinance as provided by members of the Task Force and from the general public.

4. Report from Complaint Committee meeting of 8-7-02.

Committee Chair Sue Cauthen gave report from Complaint Committee meeting of 8-7-02.

(a) Approval of recommendation of Complaint Committee for jurisdiction of complaint of Frederick Hobson against the Drug Abuse Advisory Board regarding refusal to provide public information; failure to notify time of meeting in a timely fashion; taking action without a quorum.

(b) Approval of recommendation of Complaint Committee for jurisdiction of complaint of Frederick Hobson against the Animal Control & Welfare Commission regarding failure to provide records.

(c) Approval of recommendation of Complaint Committee of no jurisdiction of complaint of Frederick Hobson against the Animal Control & Welfare Commission regarding failure to provide agendas and minutes.

(d) Approval of recommendation of Complaint Committee of no jurisdiction of complaint of Catherine Tchen against the Animal Control & Welfare Commission regarding failure to provide agendas and minutes.

(e) Approval of recommendations of Complaint Committee for (1) jurisdiction of complaint of Jason Grant Garza against the San Francisco Sheriff's Department regarding failure to provide records; and (2) approval of the motion adopted by the Complaint Committee that the custodian of records did not properly respond to the request because the signature on the letter was not the actual signer of the letter.

Motion adopted approving Complaint Committee recommendations (a), (b), (c), (d), and (e). (Knee/Jenkins) (Harrison, Williams absent)

Five minute break.

5. Public hearing, complaint of Frederick Hobson against the Drug Abuse Advisory Board regarding refusal to provide public information; failure to notify time of meeting in a timely fashion; taking action without a quorum.

   Gene Coleman, Chair, City-Wide Alcoholism Advisory Board, addressed the Task Force stating all requests are provided with respect to City-Wide Alcoholism Advisory Board and Drug Abuse Advisory Board.

   Danita Mathis, Executive Office, Drug Abuse Advisory Board, addressed the Task Force stating information had been supplied to Mr. Hobson and the Executive Committee met in a quorum.

   Public Comment from Lurilla Harris regarding quorum.

   Order of Determination adopted dismissing the complaint filed by Frederick Hobson against the Drug Abuse Advisory Board. (Parker/Comstock) (Harrison, Williams absent)

6. Public hearing, complaint of Frederick Hobson against the Animal Control & Welfare Commission regarding failure to provide records.

   Elissa Eckman, Chair, Animal Control & Welfare Commission, addressed the Task Force stating all the information she had had been provided to Mr. Hobson.

   Order of Determination adopted dismissing the complaint filed by Frederick Hobson against the Animal Control & Welfare Commission. (Parker/Nickliss) (Harrison, Williams absent)

7. Public hearing, complaint of Jason Grant Garza against the San Francisco Sheriff's Department regarding failure to provide records.

   Jason Grant Garza addressed the Task Force regarding his complaint.

Based on information provided the Task Force from Complainant Jason Grant Garza and the Sheriff's Department, the following Order of Determination was adopted:

The Sunshine Ordinance Task Force finds that the Sheriff's Department violated the Sunshine Ordinance by failing to provide requested records that were in the possession of the Department, and by failing to properly identify the custodian of records and thereby causing problems for the person requesting the records; and this complaint be placed on the agenda of the newly formed Compliance and Amendments Committee. (Jenkins/Brugmann) (Harrison, Williams absent)

Based on the finding of the failure to properly identify oneself in a professional manner, the Sunshine Ordinance Task Force refers this complaint of Jason Grant Garza to the Ethics Commission for further action. (Cauthen/Nickliss) (Harrison, Williams absent)

8. Discussion regarding City College of San Francisco compliance with the Sunshine Ordinance.

This item continued to the September Task Force meeting.

9. Discussion regarding model public records request procedures.

(a) Public Library request procedure

Public comment from Peter Warfield regarding this item being continued to September.

Motion adopted to refer this item to the Public Education & Information Committee for consideration and place this item on the September Task Force meeting agenda. (Comstock/Cauthen) (Harrison, Williams absent)

10. Report from Administrator.

Administrator Donna Hall submitted written report.

11. Public comment.

Public comment from Marilyn Amini regarding the Task Force listening to a portion of an audio tape.

Public comment from Peter Warfield regarding agenda mailing charges and library matters.

Public comment from Jason Grant Garza regarding difficulty with compliance of Orders of Determination.

12. Future agenda items.

Report from Deputy City Attorney on his contact with Police Department and their incoming audio tape.

The meeting adjourned at 6:45 p.m.

Donna L. Hall, Administrator

*The August 27, 2002 Sunshine Ordinance Task Force meeting has been recorded and is on file in the Sunshine Ordinance Task Force Office.

Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE

AGENDA

Tuesday, September 24, 2002
4:00 p.m.
City Hall, Room 263

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Marie Harrison	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Note: Each item on the Agenda may include minutes, department or agency letters and reports; Task Force reports; and public correspondence. These items will be available for review at City Hall, Sunshine Ordinance Task Force Office, Room 409.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of August 27, 2002. (5 min) (action item)

2. Report from Complaint Committee meeting of 9/12/02. (Sue Cauthen) (15 min) (action items)

   (a) Draft minutes of 9/12/02.

(b) Approval of recommendation of Complaint Committee for jurisdiction of complaint of Michael Stoll against the Board of Supervisors for failure to provide complete records. (5 min) (action item) (see information under public hearing item)

(c) Approval of recommendation of Complaint Committee for jurisdiction of complaint of Anthony Imperial against the Human Rights Commission for failure to provide records. (5 min) (action item) (see information under public hearing item)

(d) Approval of recommendation of Complaint Committee for jurisdiction of complaint of Andre Spearman against the Department of Building Inspection regarding failure to provide records. (5 min) (action item) (see information under public hearing item)

(e) Approval of recommendation of Complaint Committee for jurisdiction of complaint of Michael Petrelis against the Department of Public Health/HIV Prevention Planning Council regarding failure to post notices. (5 min) (action item) (see information under public hearing item)

(f) Approval of recommendation of Complaint Committee for jurisdiction of complaint of Patrick Monette-Shaw against the Department of Public Health/HIV Health Services Planning Council regarding failure to post notices; misrepresentation of minutes; failure to sufficiently word agendas. (5 min) (action item) (see information under public hearing item)

3. Public hearing, complaint of Marilyn Amini: (30 min) (action item)

(a) Complaint Committee recommendation of jurisdiction

(b) Complaint of Marilyn Amini:

(1) Failure to include submitted material for Planning Commission public hearing: specifically, failure to transmit Continuation request (requesting time for preparation and submission of Rebuttal statement for Commission review prior to scheduled Hearing) either before, or at the time of, Commission deliberation and action on same;

(2) Brown Act violation by Planning Commission;

(3) Alteration of public records—including, but not limited to, the following:

(a) audio and video records of Planning Commission 5/9/02 regular meeting, said records provided by Planning Commission and Citywatch, respectively;

(b) documents contained in Board of Appeals official Case file on Appeal No. 01-092;

(4) Failure to include submitted material in official case file containing said public records.

4. Public hearing, complaint of Michael Stoll against the Board of Supervisors for failure to provide complete records. (20 min) (action item)

5. Public hearing, complaint of Anthony Imperial against the Human Rights Commission for failure to provide records. (20 min) (action item)

6. Public hearing, complaint of Andre Spearman against the Department of Building Inspection regarding failure to provide records. (20 min) (action item)

7. Public hearing, complaint of Michael Petrelis against the Department of Public Health/HIV Prevention Planning Council regarding failure to post notices. (20 min) (action item)

8. Public hearing, complaint of Patrick Monette-Shaw against the Department of Public Health/HIV Health Services Planning Council regarding failure to post notices; misrepresentation of minutes; failure to sufficiently word agendas (20 min) (action item)

9. Motion by Frederick Hobson to vacate ruling of Task Force on his two complaints before the Task Force on 8/27/02 against the Drug Abuse Advisory Committee and the Animal Control & Welfare Commission.

10. Discussion regarding City College of San Francisco compliance with the Sunshine Ordinance. (Doug Comstock) (10 min) (discussion & possible action item)

11. Report from Administrator (5 min) (discussion item)

12. Public comment.

13. Future agenda items. (5 min) (discussion item)

Adjournment **Next Regular Meeting October 22, 2002**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

1.	Complainant presents his/her facts and evidence	5 minutes
2.	Other parties present facts and evidence	5 minutes each party
3.	City responds	5 minutes
4.	Complainant presents rebuttal	3 minutes
5.	Public comment	
6.	Matter is with the Task Force for discussion and deliberation	
7.	Vote by Task Force	

Note: Time must be adhered to
If a speaker is interrupted by questions, the interruption does not count against his/her time.

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SUNSHINE ORDINANCE TASK FORCE

MINUTES*

Tuesday, September 24, 2002
4:00 p.m., City Hall, Room 263

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Marie Harrison	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

Note: First name indicates initiator of motion; second name indicates seconder of motion. All motions unanimous except as noted.

The meeting convened at 4:00 p.m.

Roll Call: Present: Koltun, Brugmann, Knee, Sterner, Comstock, Cauthen, Jenkins, Parker, Nickliss, Harrison, Williams, Hall. Absent: Hijazi

1. Approval of minutes of August 27, 2002. Minutes approved (Sterner/Nickliss)

   Public comment from Peter Warfield regarding substance of minutes.

   Public comment from Marilyn Amini regarding substance of minutes.

   Public comment from Patrick Monette-Shaw regarding substance of minutes.

2. Report from Complaint Committee meeting of 9/12/02.

   Committee Chair Sue Cauthen presented report of Committee meeting of 9/12/02.

(a) Draft minutes of 9/12/02.

(b) Approval of recommendation of Complaint Committee for jurisdiction of complaint of Michael Stoll against the Board of Supervisors for failure to provide completes records.

Motion adopted approving recommendation of Complaint Committee. (Comstock/Cauthen)

(c) Approval of recommendation of Complaint Committee for jurisdiction of complaint of Anthony Imperial against the Human Rights Commission for failure to provide records.

Motion adopted approving recommendation of Complaint Committee. (Cauthen/Comstock)

(d) Approval of recommendation of Complaint Committee for jurisdiction of complaint of Andre Spearman against the Department of Building Inspection regarding failure to provide records.

Motion adopted approving recommendation of Complaint Committee. (Parker/Nickliss)

(e) Approval of recommendation of Complaint Committee for jurisdiction of complaint of Michael Petrelis against the Department of Public Health/HIV Prevention Planning Council regarding failure to post notices.

Member Koltun was recused from this item.

Member Parker was recused from this item.

Motion adopted approving recommendation of Complaint Committee. (Comstock/Nickliss) (Koltun and Parker recused)

(f) Approval of recommendation of Complaint Committee for jurisdiction of complaint of Patrick Monette-Shaw against the Department of Public Health/HIV Health Services Planning Council regarding failure to post notices; misrepresentation of minutes; failure to sufficiently word agendas.

Member Parker was recused from this item.

Motion adopted approving recommendation of Complaint Committee. (Comstock/Williams) (Parker recused)

Public comment from Patrick Monette-Shaw in support of Michael Petrelis complaint.

7. Public hearing, complaint of Michael Petrelis against the Department of Public Health/HIV Prevention Planning Council regarding failure to post notices.

Steven Tierney spoke on behalf of the Department of Public Health/HIV Prevention Planning Council stating the Department was working on their problems with the web site; a new web site to be up and running by January.

Patrick Monette-Shaw spoke on behalf of the complainant stating information not posted to the web, pieces on web site missing.

Order of Determination adopted stating:

> The Department of Public Health/HIV Prevention Planning Council was out of compliance regarding information being posted to their web site; the Department is now taking steps to bring the web site back into compliance; this complaint to be forwarded to the Compliance and Amendments Committee for further follow-up.
>
> (Harrison/Sterner) (Koltun, Parker recused)

5. Public hearing, complaint of Anthony Imperial against the Human Rights Commission for failure to provide records.

Anthony Imperial spoke on behalf of his complaint.

Roel Villacarlos spoke on behalf of the Human Rights Commission; information that the Human Rights Commission had was given to Mr. Imperial; some information was not available.

Public comment from Andre Spearman regarding bidding of contracts.

Public comment from Peter Warfield regarding assisting requestors of information.

Order of Determination adopted as follows:

> (1) The complaint of Anthony Imperial against the Human Rights Commission be dismissed.

(2) The Sunshine Ordinance Task Force reviewed the complaint of Mr. Imperial and the material attached to the complaint; the Task Force found that the Human Rights Commission's response to Mr. Imperial technically complied with the requirements of the Sunshine Ordinance, but determined that it would be appropriate for a letter to be sent to the HRC expressing the concern that the response to Mr. Imperial could have been more helpful in assisting him in determining the existence or non-existence of the documents he sought; said letter to be drafted by the Chair, Administrator, and Deputy City Attorney for the Sunshine Ordinance Task Force.

(3) A copy of the letter to the Human Rights Commission to be forwarded to the Board of Supervisors.

(Parker/Nickliss) (Noes: Brugmann, Comstock, Jenkins, Nickliss, Williams)

9. Motion by Frederick Hobson to vacate ruling of Task Force on his two complaints before the Task Force on 8/27/02 against the Drug Abuse Advisory Committee and the Animal Control & Welfare Commission.

This item continued to the next meeting of the Task Force.

12. Public comment.

No public comment.

Task Force Member Jenkins invited Task Force Members to look at software that would help facilitate members of the public to locate records.

Member Jenkins left the meeting at this time.

6. Public hearing, complaint of Andre Spearman against the Department of Building Inspection regarding failure to provide records.

Andre Spearman spoke on behalf of his complaint.

John Marquez spoke on behalf of the Department of Building Inspection.

Order of Determination adopted as follows:

(1) The Building Inspection Department was in violation of the Sunshine Ordinance by failure to provide a prompt and timely response to the complaint's request for information.

(2) The Sunshine Ordinance Task Force shall send a letter to the Department of Building Inspection stating its disappointment that the Department did not respond in a timely fashion when the requestor needed the information to prepare for an administrative hearing.

(Sterner/Nickliss) (Harrison recused) (Jenkins absent)

3. Public hearing, complaint of Marilyn Amini:

(a) Complaint Committee recommendation of jurisdiction

Motion adopted accepting letter of jurisdiction from the Complaint Committee on the four items set for public hearing. (Cauthen/Nickliss) (Jenkins absent)

(b) Complaint of Marilyn Amini:

(1) Failure to include submitted material for Planning Commission public hearing: specifically, failure to transmit Continuation request (requesting time for preparation and submission of Rebuttal statement for Commission review prior to scheduled Hearing) either before, or at the time of, Commission deliberation and action on same;

(2) Brown Act violation by Planning Commission;

(3) Alteration of public records—including, but not limited to, the following:

(a) audio and video records of Planning Commission 5/9/02 regular meeting, said records provided by Planning Commission and Citywatch, respectively;

(b) documents contained in Board of Appeals official Case file on Appeal No. 01-092;

(4) Failure to include submitted material in official case file containing said public records.

Marilyn Amini spoke on behalf of her complaint; Citywatch respondent is now eliminated because of segment of information Ms. Amini discovered was in the video at a different location than she first thought; segment also found on audiotape.

Linda Avery spoke on behalf of the Planning Commission and the Planning Department; tapes not tampered with; information was contained in the file.

Robert Feldman spoke on behalf of the Board of Appeals; tabs were removed from the submitted record; substance not tampered with; all information contained in the file.

Motion introduced to dismiss item (1): Failure to include submitted material for Planning Commission public hearing; specifically, failure to transmit continuation request (requesting time for preparation and submission of rebuttal statement for Commission review prior to scheduled hearing) either before, or at the time of, Commission deliberation and action on same. (Parker/Nickliss) (Jenkins absent) (Ayes: Sterner, Parker) (Noes: Koltun, Brugmann, Knee, Harrison, Comstock, Cauthen, Nickliss, Williams) The motion failed. (Item 3. (b) (1) on agenda)

Motion adopted that there was a Sunshine Ordinance violation regarding failure to include submitted material for Planning Commission public hearing; specifically, failure to transmit continuation request (requesting time for preparation and submission of rebuttal statement for Commission review prior to scheduled hearing) either before, or at the time of, Commission deliberation and action on same. (Brugmann/Nickliss) (Jenkins absent) (Ayes: Koltun, Brugmann, Knee, Harrison, Comstock, Cauthen, Nickliss, Williams) (Noes: Sterner, Parker) (Item 3. (b) (1) on agenda)

Motion introduced that there was a Sunshine Ordinance violation in failing to place on the agenda Complainant's request to rescind an action that had been taken. (Comstock/Harrison) (Jenkins absent) (Ayes: Brugmann, Cauthen, Nickliss, Williams (Noes: Koltun, Knee, Harrison, Sterner, Comstock, Parker) The motion failed. (Item 3. (b) (2) on agenda)

Motion introduced there was a violation of the Sunshine Ordinance in the omission on the audio recording of the meeting on the portion of the tape. (Comstock/Brugmann) (Jenkins absent) (Ayes: Brugmann, Comstock) (Noes: Koltun, Knee, Harrison, Sterner, Cauthen, Parker, Nickliss, Williams) The motion failed. (Item 3. (b) (3) (a) on agenda)

Motion introduced there was a violation of the Sunshine Ordinance regarding the alteration of public records contained in Board of Appeals official case on file on Appeal No. 01-092. (Comstock/Nickliss) (Jenkins absent) (Ayes: None) (Noes: Koltun, Brugmann, Knee, Harrison, Sterner, Comstock, Cauthen, Parker, Nickliss, Williams) The motion failed. (Item 3. (b) (3) (b) on agenda)

Motion adopted there was a violation of the Sunshine Ordinance regarding failure of Planning Department file not containing all the relevant information (Harrison/Brugmann) (Jenkins absent) (Item 3. (b) (4) on agenda)

8. Public hearing, complaint of Patrick Monette-Shaw against the Department of Public Health/HIV Health Services Planning Council regarding failure to post notices; misrepresentation of minutes; failure to sufficiently word agendas.

This item continued to a Special Meeting.

4. Public hearing, complaint of Michael Stoll against the Board of Supervisors for failure to provide complete records.

Dorji Roberts, Deputy City Attorney, spoke on behalf of the Board of Supervisors.

Michael Stoll spoke on behalf of his complaint.

Motion adopted continuing this item to the next Task Force meeting. (Brugmann/Comstock) (Jenkins absent)

Public comment from Peter Warfield regarding documents being submitted at the last minute; public does not have copies.

Public comment from Marilyn Amini regarding her public comment at a previous meeting.

10. Discussion regarding City College of San Francisco compliance with the Sunshine Ordinance.

This item continued to the next Task Force meeting.

11. Report from Administrator.

Report submitted

13. Future agenda items.

Member Brugmann reminded Task Force of the CFAC OpenGov02 Conference October 17-19, 2002.

The meeting adjourned at 9:20 p.m.

Donna L. Hall, Administrator

*The September 24, 2002 Sunshine Ordinance Task Force meeting has been recorded and is on file in the Sunshine Ordinance Task Force Office.

Sunshine Ordinance Task Force

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-7724
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SUNSHINE ORDINANCE TASK FORCE
SPECIAL MEETING

AGENDA

Tuesday, October 15, 2002
11:00 A.M., City Hall, Room 416

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Marie Harrison	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Note: Each item on the Agenda may include minutes, department or agency letters and reports; Task Force reports; and public correspondence. These items will be available for review at City Hall, Sunshine Ordinance Task Force Office, Room 409.

Call to Order
Roll Call
Agenda Changes

1. Public hearing, complaint of Patrick Monette-Shaw against the Department of Public Health/HIV Health Services Planning Council regarding failure to post notices; misrepresentation of minutes; failure to sufficiently word agendas (20 min) (action item)

2. Public comment.

Adjournment **Next Regular Meeting October 22, 2002**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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1.	Complainant presents his/her facts and evidence	5 minutes
2.	Other parties present facts and evidence	5 minutes each party
3.	City responds	5 minutes
4.	Complainant presents rebuttal	3 minutes
5.	Public comment	
6.	Matter is with the Task Force for discussion and deliberation	
7.	Vote by Task Force	

Note: Time must be adhered to
If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access: The hearing room is wheelchair accessible.

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

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Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
SPECIAL MEETING

MINUTES

Tuesday, October 15, 2002
11:00 A.M., City Hall, Room 416

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Marie Harrison	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

The Special meeting of Tuesday, October 15, 2002 was cancelled due to lack of a quorum.

Donna L. Hall, Administrator

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Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE

AGENDA

Tuesday, October 22, 2002
4:00 p.m.
City Hall, Room 408

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Marie Harrison	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Note: Each item on the Agenda may include minutes, department or agency letters and reports; Task Force reports; and public correspondence. These items will be available for review at City Hall, Sunshine Ordinance Task Force Office, Room 409.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of September 24, 2002 and October 15, 2002. (5 min) (action item)

2. Public hearing, complaint of Patrick Monette-Shaw against the Department of Public Health/HIV Health Services Planning Council regarding failure to post notices; misrepresentation of minutes; failure to sufficiently word agendas. (20 min) (action item)

3. Motion by Frederick Hobson to vacate ruling of Task Force on his two complaints before the Task Force on 8/27/02 against the Drug Abuse Advisory Board and the Animal Control & Welfare Commission.

4. Report from Complaint Committee meeting of 10/10/02. (Sue Cauthen) (15 min) (action items)

   (a) Approval of jurisdictional letter on Complainant Peter Witt against the Taxi Commission (jurisdiction on items 2, 3, 4, 6; no jurisdiction on items 1, 5, 7). (action item)

   (b) Approval of jurisdictional letter on Complainant Peter Warfield against the Public Library. (action item)

5. Public hearing, complaint of Peter Witt against the Taxi Commission regarding alleged public comment violations. (20 min) (action item) (see complaint information in Item #4)

6. Public hearing, complaint of Peter Warfield against the Public Library regarding failure to obtain records. (20 min) (action item)

7. Complaint of Michael Stoll against the Board of Supervisors for failure to provide complete records. (continued from meeting of 9/24/02) Complaint withdrawn

8. Report from Public Education & Information Committee. (Garrett Jenkins) (10 min) (discussion and possible action)

   (a) Cover letters and sample Public Request Forms
   (b) Draft letter to Public Library

9. Report from Compliance & Amendments Committee meeting of September 18, 2002. (Heather Sterner) (15 min) (discussion and possible action)

   Approval of Mission and Work Plan for Committee. (action item)

10. Task Force investigative jurisdiction and appropriate procedures and staffing. (20 min) (discussion item)

11. Report from Administrator. (Donna Hall) (5 min) (discussion item)

12. Public comment.

13. Future agenda items. (5 min) (discussion item)

Adjournment **Next Regular Meeting November 26, 2002**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

1.	Complainant presents his/her facts and evidence	5 minutes
2.	Other parties present facts and evidence	5 minutes each party
3.	City responds	5 minutes
4.	Complainant presents rebuttal	3 minutes
5.	Public comment	
6.	Matter is with the Task Force for discussion and deliberation	
7.	Vote by Task Force	

Note: Time must be adhered to
If a speaker is interrupted by questions, the interruption does not count against his/her time.

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SUNSHINE ORDINANCE TASK FORCE

MINUTES*

Tuesday, October 22, 2002
4:00 p.m., City Hall, Room 408

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Marie Harrison	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

Note: First name after motion indicates initiator of motion; second name indicates seconder of motion. All motions unanimous except as noted.

The meeting convened at 4:00 p.m.

Roll Call: Present: Koltun, Knee, Sterner, Comstock, Cauthen, Jenkins, Parker, Nickliss. Absent: Brugmann, Harrison, Williams.

1. Approval of minutes of September 24, 2002 and October 15, 2002.

   Minutes approved. (Jenkins/Nickliss) (Absent: Brugmann, Harrison, Williams)

2. Public hearing, complaint of Patrick Monette-Shaw against the Department of Public Health/HIV Health Services Planning Council regarding failure to post notices; misrepresentation of minutes; failure to sufficiently word agendas.

   Patrick Monette-Shaw spoke on behalf of his complaint.

   Eric Whitney spoke on behalf of the department.

   Public comment from Male Speaker supporting recommendation to send this complaint to the Compliance Committee.

Public comment from Frederick Hobson supporting recommendation to send this complaint to the Compliance Committee.

Public comment from Patrick Monette-Shaw stating the department willfully repeated the same violations.

Order of Determination adopted forwarding this complaint to the Compliance Committee for follow-up on Department of Public Health/HIV Health Services Planning Council's compliance with Sunshine Ordinance and with Task Force orders of determination. (Comstock/Cauthen) (Recused: Parker) (Absent: Brugmann, Harrison, Williams)

3. Motion by Frederick Hobson to vacate ruling of Task Force on his two complaints before the Task Force on 8/27/02 against the Drug Abuse Advisory Board and the Animal Control & Welfare Commission.

Frederick Hobson spoke on behalf of his request to vacate the ruling of the Task Force on his two complaints before the Task Force on 8/27/02 against the Drug Abuse Advisory Board and the Animal Control & Welfare Commission and reset them for public hearings.

Motion introduced to vacate the ruling of the Task Force on August 27, 2002 regarding the two complaints of Mr. Hobson against the Drug Abuse Advisory Board and the Animal Control & Welfare Commission. (Cauthen/Nickliss) Ayes: Cauthen, Nickliss) (Noes: Koltun, Knee, Sterner, Jenkins, Parker) (Recused: Comstock) (Absent: Brugmann, Harrison, Williams) The motion failed.

4. Report from Complaint Committee meeting of 10/10/02.

Complaint Committee Chair Sue Cauthen reported on Committee meeting of 10/10/02.

(a) Approval of jurisdictional letter on Complainant Peter Witt against the Taxi Commission (jurisdiction on items 2, 3, 4, 6; no jurisdiction on items 1, 5, 7).

Motion adopted approving jurisdictional recommendation from the Complaint Committee. (Cauthen/Knee) (Absent: Brugmann, Harrison, Williams)

(b) Approval of jurisdictional letter on Complainant Peter Warfield against the Public Library.

Motion adopted approving jurisdictional recommendation from the Complaint Committee. (Cauthen/Nickliss) (Absent: Brugmann, Harrison, Williams)

Public comment from Peter Warfield regarding jurisdictional letter containing inaccuracies to advance the library position.

12. Public comment.

No public comment.

5. Public hearing, complaint of Peter Witt against the Taxi Commission regarding alleged public comment violations.

Peter Witt spoke on behalf of his complaint.

Public comment from Jim Battles in support of the complainant.

Naomi Little, Executive Director, spoke on behalf of the Taxi Commission.

Public comment from Lynette Sweet in support of Taxi Commission.

Public comment from F. Suslow in support of Taxi Commission.

Motion adopted dismissing Items 2 and 3 of the complaint. (i.e., in 2002 the Commission refused to allow the public to speak for themselves at meetings; and December 11, 2001 President Sweet of the Commission interrupted a speaker during his speaking time.) (Parker/Sterner) (Absent: Brugmann, Harrison, Williams)

Motion introduced dismissing Item 6 of the complaint. (i.e., on August 13, 2002, while speaking on agenda item # 9, President Sweet cut off Complainant's presentation with one minute remaining on his speaking time and told Complainant that he was not on the subject; the microphone was cut off, and the Complainant was ordered out of the hearing room). (Parker/Nickliss) (Ayes: Parker) (Noes: Koltun, Knee, Sterner, Comstock, Cauthen, Jenkins, Nickliss) (Absent: Brugmann, Harrison, Williams). The motion failed.

Motion adopted continuing Item 6 of the complaint to the next meeting of the Task Force in order for the Task Force to review the video tape of the meeting of August 13, 2002. (Knee/Nickliss) (Absent: Brugmann, Harrison, Williams)

Motion adopted continuing Item 4 of the complaint to the next meeting of the Task Force in order for the Task Force to review the video tape of the meeting of July 23, 2002. (i.e., on July 23, 2002 when Complainant used one minute of his speaking time to set up a viewer projector, he was only allotted two minutes remaining time to speak.) (Cauthen/Knee) (Absent: Brugmann, Harrison, Williams)

6. Public hearing, complaint of Peter Warfield against the Public Library regarding failure to obtain records.

Deputy City Attorney Catharine Barnes requested Member Cauthen recuse herself from this item. Member Cauthen stated she felt she did not have a conflict with this item.

Motion introduced that Sue Cauthen re recused from this item. (Parker/Jenkins) (Ayes: Jenkins, Parker) (Noes: Koltun, Knee, Sterner, Comstock, Cauthen, Nickliss) (Absent: Brugmann, Harrison, Williams) The motion failed.

Peter Warfield spoke on behalf of his complaint.

Catharine Barnes, Deputy City Attorney, spoke on behalf of the Library.

Order of Determination adopted dismissing this complaint. (Parker/Nickliss) (Ayes: Koltun, Knee, Sterner, Cauthen, Jenkins, Parker, Nickliss) (Noes: Comstock) (Absent: Brugmann, Harrison, Williams)

7. Complaint of Michael Stoll against the Board of Supervisors for failure to provide complete records. (continued from meeting of 9/24/02) Complaint withdrawn.

Member Parker left the meeting at this time

8. Report from Public Education & Information Committee.

Garrett Jenkins reported on the Public Education & Information Committee meeting of October 10, 2002.

(a) Cover letters and sample Public Request Forms

Public comment from Peter Warfield regarding rights of requesters of public information.

Chair Koltun and Administrator to pull together the comments from Task Force members to be included in the sample letter to departments and sample public records request form that was submitted to the Task Force from the Public Education & Information Committee.

(b) Draft letter to Public Library

Public comment from Peter Warfield regarding Task Force within rights to make reports with regard to what they advise or not advise; concerned about Library procedures; in support of draft letter to the Library.

Public Comment from Catharine Barnes, representing the Library, in opposition to the letter to the Library.

Motion adopted dismissing consideration of the draft letter to the Library, without prejudice. (Sterner/Knee) (Absent: Brugmann, Harrison, Parker, Williams)

9. Report from Compliance & Amendments Committee meeting of September 18, 2002.

This item continued to the next meeting.

Approval of Mission and Work Plan for Committee.

10. Task Force investigative jurisdiction and appropriate procedures and staffing.

This item continued to the next meeting.

11. Report from Administrator.

Administrator Donna Hall submitted report.

13. Future agenda items.

This item continued to the next meeting.

The meeting adjourned at 9:15 a.m.

Donna L. Hall, Administrator

*The October 22, 2002 Sunshine Ordinance Task Force meting has been recorded and is on file in the Sunshine Ordinance Task Force Office.

Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE

AGENDA

Tuesday, November 26, 2002
4:00 p.m.
City Hall, Room 408

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Marie Harrison	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

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Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of October 22, 2002. (5 min) (action item)

2. Report from Supervisor of Public Records (City Attorney) annual review and report (Paul Zarefsky) (15 min) discussion item)

3. Public hearing, complaint of Peter Witt against the Taxi Commission regarding alleged public comment violations. (items 4 and 6 of complaint) (20 min) (action item)

4. Report from Complaint Committee meeting of November 15, 2002. (Sue Cauthen) (15 min) (action items)

   (a) Jurisdictional letter on Complainant Patrick Monette-Shaw against the Department of Public Health; San Francisco HIV Health Services Planning Council regarding policy on submitting written testimony. (Complaint Committee recommended no jurisdiction) (Sue Cauthen)

   (b) Appeal of Complaint Committee recommendation of no jurisdiction by Patrick Monette-Shaw.

5. Discussion regarding City College of San Francisco compliance with the Sunshine Ordinance. (Doug Comstock) (10 min) (discussion & possible action item)

6. Report from Compliance & Amendments Committee meeting of September 18 and November 20, 2002. (Heather Sterner) (15 min) (action item)

   Approval of Mission and Work Plan for Committee.

7. Task Force investigative jurisdiction and appropriate procedures and staffing. (20 min) (discussion item)

8. Discussion regarding submission of supporting documents from complainants. (Heather Sterner) (discussion item)

9. Report from Administrator. (Donna Hall) (5 min) (discussion item)

10. Public comment.

11. Future agenda items. (5 min) (discussion item)

Adjournment **Next Regular Meeting December 17, 2002**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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2.	Other parties present facts and evidence	5 minutes each party
3.	City responds	5 minutes
4.	Complainant presents rebuttal	3 minutes
5.	Public comment	
6.	Matter is with the Task Force for discussion and deliberation	
7.	Vote by Task Force	

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SUNSHINE ORDINANCE TASK FORCE

MINUTES*

Tuesday, November 26, 2002
4:00 p.m., City Hall, Room 408

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Task Force Members

Seat 1	Joshua Koltun
Seat 2	Bruce Brugmann
Seat 3	Richard Knee
Seat 4	Marie Harrison
Seat 5	Heather Sterner
Seat 6	Doug Comstock
Seat 7	Sue Cauthen
Seat 8	Garrett Jenkins
Seat 9	David Parker
Seat 10	Alexandra Nickliss
Seat 11	Marjorie Ann Williams
Ex-officio	Hala Hijazi
Ex-officio	Donna Hall

Note: First name after motion indicates initiator of motion; second name indicates seconder of motion. All motions unanimous except as noted.

The meeting convened at 4:00 p.m.

Roll Call: Present: Koltun, Knee, Sterner, Comstock, Cauthen, Jenkins, Parker, Nickliss, Williams, Hijazi, Hall. Absent: Brugmann, Harrison.

1. Approval of minutes of October 22, 2002.

   Minutes approved. (Jenkins, Nickliss) (Absent: Brugmann, Harrison)

2. Report from Supervisor of Public Records.

   Deputy City Attorney Paul Zarefsky submitted annual Supervisor of Public Records report.

3. Public hearing, complaint of Peter Witt against the Taxi Commission regarding alleged public comment violations. (#4: On July 23, 2002, when Complainant used one minute of his speaking time to set up a viewer projector, he was only allotted two minutes remaining time to speak. #6: On August 13, 2002, while speaking on agenda item #9, President Sweet cut off Complainant's presentation with one minute remaining on his speaking time, and told Complainant that he was not on the subject. The microphone was cut off, and the Complainant was ordered out of the hearing room.)

Peter Witt addressed the Task Force in support of his complaint.

Naomi Little addressed the Task Force representing the Taxicab Commission.

Motion to stop debate (Parker/Knee) (Ayes: Koltun, Knee, Sterner, Jenkins, Parker) (Noes: Comstock, Cauthen, Nickliss, Williams) (Absent: Brugmann, Harrison). The motion failed.

Order of Determination adopted that the Taxicab Commission was in error in not giving Mr. Witt additional time for the set-up procedures; the Taxicab Commission has realized the error and the time procedures will be adjusted in the future. (Parker/Sterner) (Brugmann, Harrison); and that Mr. Witt was deprived of his full speaking time when told he was not speaking on the subject. (Jenkins/Cauthen) (Ayes: Knee, Sterner, Comstock, Cauthen, Jenkins, Nickliss, Williams) (Noes: Koltun, Parker) (Absent: Brugmann, Harrison)

Public comment from Patrick Monette-Shaw regarding speakers sometimes being "off-point" on items they are addressing.

10. Public comment.

Patrick Monette-Shaw spoke regarding the Task Force regarding "cutting the Care Council so much slack".

4. Report from Complaint Committee meeting of November 15, 2002.

Committee Chair Cauthen reported on the Complaint Committee meeting of November 15, 2002.

(a) Jurisdictional letter on Complainant Patrick Monette-Shaw against the Department of Public Health; San Francisco HIV Health Services Planning Council regarding policy on submitting written testimony. (Complaint Committee recommended no jurisdiction) (Sue Cauthen)

(b) Appeal of Complaint Committee recommendation of no jurisdiction by Patrick Monette-Shaw.

Patrick Monette Shaw addressed the Task Force in support of his appeal of no jurisdiction from the Complaint Committee.

Motion to stop debate. (Parker/Comstock) (Ayes: Knee, Sterner, Comstock, Jenkins, Parker, Nickliss, Williams) (Noes: Koltun, Cauthen) (Absent: Brugmann, Harrison) Motion carried.

Motion to accept jurisdiction over this complaint. (Nickliss/Jenkins) (Ayes: Cauthen, Jenkins, Nickliss, Williams) (Noes: Koltun, Knee, Sterner, Comstock, Parker) (Absent: Brugmann, Harrison) Motion failed.

Motion adopted requesting the Compliance and Amendments Committee place on their agenda a discussion item regarding Sunshine Ordinance 67.7-1 for possible amendment. (Comstock/Jenkins) (Absent: Brugmann, Harrison)

Public comment from Patrick Monette-Shaw stating if the item is referred to a sub-committee, the sub-committee take a look at the American Disabilities Act.

150 word submission for the minutes from Patrick Monette-Shaw:

> Deputy City Attorney Llorente's 11/17/02 advisory letter to the Complaint Committee stated "The SOTF Compliant Committee must make a factual determination in order to determine if the Task Force has jurisdiction over the allegations." Llorente further advised: "The Complaint Committee must decide whether 67.7-1 applies to the facts of this case," and "the Committee has to make the threshold determination of whether Section 67.7-1 actually applies ...". Although the Complaint Committee discussed conflicting Ordinance provisions -- and further noted Ordinance section 67.7-1 uses "matter" as it's language -- the issue whether "healthcare" affects a, or all, neighborhood(s) was not discussed or voted on. Rather than first ruling on the prerequisite, threshold determination, the Committee considered only jurisdiction, bypassing first considering "thresholds." This can only be described as Kafka-esque. The Committee attempted brokering a compromise in order to dismiss my complaint. Sidestepping ruling on "threshold determinations" unethically results in swept-under-the-carpet Sunshine Ordinance violations.

5. Discussion regarding City College of San Francisco compliance with the Sunshine Ordinance.

Member Koltun and Member Nickliss recused themselves from this item.

Members Comstock and Williams to go as a delegation from the Task Force to contact the City College regarding City College's compliance with the Sunshine Ordinance.

Member Nickliss excused herself as a Member of the Task Force and addressed the Task Force as an interested person under public comment asking what kind of effectiveness the task Force would have with the City College regarding the Sunshine Ordinance.

11. Future agenda items.

Member Parker stated that at the next Complaint Committee they would be discussing the abuse by complainants of process of the Sunshine Ordinance and Sunshine Ordinance Task Force. Chair Koltun suggested the item be placed on the full Task Force agenda as a discussion item.

Public comment from Patrick Monette-Shaw regarding Task Force discussion of abuse of the Sunshine Ordinance.

6. Report from Compliance & Amendments Committee meeting of September 18 and November 20, 2002.

Committee Chair Sterner reported on the Compliance & Amendments Committee meeting of September 18, October 9, and November 20, 2002.

Public comment from Patrick Monette-Shaw stated he would be appealing the ruling of the Compliance and Amendments Committee.

Motion adopted approving the Mission and Work Plan of the Compliance & Amendments Committee as submitted with the following amendment to the Mission Statement: The Compliance and Amendments Committee will facilitate adherence to, and effectiveness of, the Sunshine Ordinance by following up on and enforcing compliance with the Orders of Determination; and by considering and making recommendations to the Task Force on staff recommendations and community recommendations for Sunshine Ordinance amendments. (Comstock, Williams) (Absent: Brugmann, Harrison)

7. Task Force investigative jurisdiction and appropriate procedures and staffing.

Member Williams left the meeting at this time.

Referred to Rules Committee to work on appropriate procedures for staff and complainants regarding investigating violations of the Sunshine Ordinance.

Member Cauthen left the meeting at this time.

Member Nickliss left the meeting at this time.

8. Discussion regarding submission of supporting documents from complainants.

Member Heather Sterner requested Administrator look into suggestions of reducing the amount of paper submitted to Task Force Members in agenda packets.

9. Report from Administrator.

Administrator Donna Hall submitted monthly report.

The meeting adjourned at 8:15 p.m.

Donna L. Hall, Administrator

*The November 26, 2002 Sunshine Ordinance Task Force meeting has been recorded and is on file in the Sunshine Ordinance Task Force Office.

Sunshine Ordinance Task Force

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-7724
Fax No. 554-7854
TDD/TTY No. 544-5227

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SUNSHINE ORDINANCE TASK FORCE

AGENDA

Tuesday, December 17, 2002
(Rescheduled from December 24, 2002)
4:00 p.m.
City Hall, Room 408

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Marie Harrison	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Note: Each item on the Agenda may include minutes, department or agency letters and reports; Task Force reports; and public correspondence. These items will be available for review at City Hall, Sunshine Ordinance Task Force Office, Room 409.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of November 26, 2002. (5 min) (action item)

2. Report from Complaint Committee meeting of December 12, 2002. (15 min) (action item)

   (a) Draft minutes of December 12, 2002.

(b) Recommendation to approve jurisdiction of complaint of United Taxicab Workers against Supervisor Newsom's Office for alleged withholding of public records. (See information in next item.)

3. Public hearing, complaint of United Taxicab Workers against Supervisor Newsom's Office for alleged withholding of public records. (20 min) (action item)

4. Request of Patrick Monette-Shaw for reconsideration of Order of Determination dated October 22, 2002, complaint against the Department of Public Health/HIV Health Services Planning Council regarding failure to post notices; misrepresentation of minutes; failure to sufficiently word agendas. (10 min) (action item)

5. Report from Compliance & Amendments Committee meeting of December 12, 2002. (Heather Sterner) (10 min) (action item)

   (a) Draft minutes of December 12, 2002.

   (b) Recommendation for approval of consideration of proposed amendment to the Sunshine Ordinance by adding Section 67.7-2 to Public Notice Requirements.

6. Report from Rules Committee (Marie Harrison) (15 min) (discussion and possible action item)

7. Report from Administrator. (Donna Hall) (5 min) (discussion item)

8. Public comment.

9. Future agenda items. (5 min) (discussion item)

Adjournment **Next Regular Meeting January 28, 2003**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

1.	Complainant presents his/her facts and evidence	5 minutes
2.	Other parties present facts and evidence	5 minutes each party
3.	City responds	5 minutes
4.	Complainant presents rebuttal	3 minutes
5.	Public comment	
6.	Matter is with the Task Force for discussion and deliberation	
7.	Vote by Task Force	

Note: Time must be adhered to
If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access: The hearing room is wheelchair accessible.

Chemical-Based Products: In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City to accommodate these individuals.

Cell phones, pagers and similar sound-producing electronic devices : The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact Donna Hall by mail to Administrator, Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 409, San Francisco CA 94102-4689; by phone at 415 554 7724; by fax at 415 554 7854; or by email at Donna.Hall@sfgov.org.

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Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE

MINUTES*

Tuesday, December 17, 2002
4:00 p.m., City Hall, Room 408

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Task Force Members

Seat 1	Joshua Koltun
Seat 2	Bruce Brugmann
Seat 3	Richard Knee
Seat 4	Marie Harrison
Seat 5	Heather Sterner
Seat 6	Doug Comstock
Seat 7	Sue Cauthen
Seat 8	Garrett Jenkins
Seat 9	David Parker
Seat 10	Alexandra Nickliss
Seat 11	Marjorie Ann Williams
Ex-officio	Hala Hijazi
Ex-officio	Donna Hall

Note: First name after motion indicates initiator of motion; second name indicates seconder of motion. All motions unanimous except as noted.

The meeting convened at 4:00 p.m.

Roll Call: Present: Brugmann, Knee, Harrison, Sterner, Comstock, Cauthen, Jenkins, Parker, Nickliss, Hall. Absent: Koltun, Williams, Hijazi

1. Approval of minutes of November 26, 2002.

   Minutes approved as amended. (Parker/Nickliss) (Absent: Koltun, Williams)

2. Report from Complaint Committee meeting of December 12, 2002.

Committee Chair Cauthen reported on the Complaint Committee meeting of December 12, 2002.

(a) Draft minutes of December 12, 2002.

(b) Recommendation to approve jurisdiction of complaint of United Taxicab Workers against Supervisor Newsom's Office for alleged withholding of public records.

Submitted statement from Patrick Monette-Shaw: "The number of previous complaints filed by Mr. Gruber is not listed in the advisory letter issued by Deputy City Attorney Llorente; nor did Llorente's letter indicate the number of "prior's" issued against Supervisor Newsom's. During my third complaint, Llorente imagined it necessary to describe the number of complaints I had previously brought, ostensibly to provide so-called imaginary "background" to the Complaint Committee. However, it appears this Task Force has one set of rules for complainants against "AIDS Inc.," and another set of rules for other complainants. If this Task Force is going to list "priors," all complainants should be treated equally-for instance by stating this is Mr. Gruber's first complaint against Newsom's office, and that "X" number of complaints have previously been filed against the supervisor. To treat different members of the public with different sets of rules is an abuse of process by this Task Force."

Motion adopted approving report of the Complaint Committee. (Harrison/Nickliss) (Absent: Koltun, Williams)

3. Public hearing, complaint of United Taxicab Workers against Supervisor Newsom's Office for alleged withholding of public records.

Mark Gruberg addressed the Task Force in support of his complaint.

Michael Farrah, representing Supervisor Newsom's Office; and Paul Zarefsky, Deputy City Attorney, representing Supervisor Newsom's Office, addressed the Task Force.

Public comment from L. Harris regarding public requests.

Order of Determination adopted finding that the Sunshine Ordinance Task Force recognizes that the legal opinion submitted to Supervisor Newsom is covered under the lawyer/client privilege; however, in the spirit of open government and public accountability, the Task Force urges Supervisor Newsom to waive the privilege and to release the opinion for the benefit of the community. (Brugmann, Nickliss) (Ayes: Brugmann, Knee, Harrison, Comstock, Cauthen, Jenkins, Parker, Nickliss) (Noes: Sterner) (Absent: Koltun, Williams)

4. Request of Patrick Monette-Shaw for reconsideration of Order of Determination dated October 22, 2002, complaint against the Department of Public Health/HIV Health Services Planning Council regarding failure to post notices; misrepresentation of minutes; failure to sufficiently word agendas.

   Patrick Monette-Shaw addressed the Task Force requesting reconsideration of the Order of Determination of October 22, 2002.

   No public comment.

   Motion introduced to reconsider the request of Patrick Monette-Shaw for reconsideration of the Order of Determination dated October 22, 2002. (Comstock/Brugmann) (Ayes: Harrison, Comstock) (Noes: Brugmann, Knee, Sterner, Cauthen, Jenkins, Parker, Nickliss) (Absent: Koltun, Williams) The motion failed.

5. Report from Compliance & Amendments Committee meeting of December 12, 2002.

   Committee Chair Sterner reported on the Compliance & Amendments Committee meeting of December 12, 2002.

   (a) Draft minutes of December 12, 2002.

   (b) Recommendation for approval of consideration of proposed amendment to the Sunshine Ordinance by adding Section 67.7-2 to Public Notice Requirements.

   Submitted statement from Patrick Monette-Shaw: "The SOTF's proposed amendment (Section 67-7.2) to the Sunshine Ordinance is, in part, a result of the third complaint I filed. That the SOTF found merit in my complaint and is now recommending a change to the Ordinance is both gratifying, and a civic duty accomplishment signaling that due process redress of grievances—when properly followed, as I did, without abusing processes—leads to constructive change, which is a free-speech guarantee in democracies. However, I ask that a SOTF member propose an amendment to 67-7.2, strongly encouraging City departments to also post the larger "public record" of a meeting to the Internet, particularly testimony submitted electronically, as an ADA-related issue. Technology exists to easily consolidate material submitted electronically into an Internet-accessible document, so that people with disabilities have greater accessibility to open government via the larger public record, in addition to minutes and agendas posted to the Internet."

Motion adopted approving the consideration of proposed amendment to the Sunshine Ordinance by adding Section 67.7-2 to Public Notice Requirements, as follows: (Comstock/Nickliss) (Absent: Koltun, Williams)

"When notice is given as provided in these articles by public policy bodies other than the one listed in 67.7-1 members of the public may submit statements and/or comments as to any item listed on the agenda at a meeting of the policy body, and those statements or comments shall be placed in the public record and be subject to review and consideration by the policy body if submitted any time before or during the hearing. There is no requirement that the author of the statement or comment be physically present at the hearing in order for the statement or comment to be placed in the public record. If the statement or comment is received after the hearing, it will be placed in the public record with a notation as to when it was received."

8. Public comment.

Submitted statement from Patrick Monette-Shaw: "I want to commend Chairperson Koltun for having recognized that members of "AIDS Inc"—by way of the anonymous e-mail circulated by the cowardly "J Doe" using "sfadvocate.com"—had possibly enlisted SOTF member David Parker into possibly wrongly placing a Trojan Horse agenda item on today's agenda in a bald end-run attempt to discredit me, despite the SOTF previously having found that my whopping three complaints all had jurisdiction, or possible jurisdiction, and all had merit either in whole or in part. Mr. Koltun rightfully removed this specious agenda item from today's meeting; he is to be commended for recognizing a Trojan Horse when he sees one. On the other hand, member Parker, having possibly facilitated this end-run Trojan Horse—therein abusing the SOTF processes he is sworn to uphold—may need to be censured. I will follow up with the Task Force in this regard."

6. Report from Rules Committee.

Committee Chair Harrison gave oral report of the last Rules Committee. Proposed guidelines for SOTF members will be presented to the Task Force at the January Task Force meeting.

7. Report from Administrator.

Written report submitted by Administrator Donna Hall.

9. Future agenda items.

Members Williams and Comstock to attend a City College Board meeting.

Member Comstock requested the Task Force discuss a sunshine ordinance amendment regarding the non-profit regulations.

Member Knee requested the Task Force discuss the issue of setting up meetings in the community regarding recommending changes to the sunshine ordinance.

Task Force Member Parker stated a youth member might possibly be on board by next meeting.

Task Force Member Cauthen felt it was appropriate to commend Supervisor Peskin on his support of sunshine regarding the Department of Building Inspection not charging a fee for retrieving of documents from storage. Task Force Member Cauthen to work with Administrator on a draft letter.

The meeting adjourned at 6:30 p.m.

Submitted by Donna L. Hall, Administrator

*The December 17, 2002 Sunshine Ordinance Task Force meeting has been recorded and is on file in the Sunshine Ordinance Task Force Office.

Sunshine Ordinance Task Force

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http://www.sfgov.org/sunshine/

SUNSHINE ORDINANCE TASK FORCE

AGENDA

Tuesday, January 28, 2003
4:00 p.m.
City Hall, Room 408

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Marie Harrison	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

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Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of December 17, 2002. (5 min) (action item)

2. Report from the City Administrator on progress of Index of Records. (Jill Lerner) (15 min) (discussion item)

3. Report from Complaint Committee meeting of January 9, 2003. (Sue Cauthen) (15 min)

   (a) Draft minutes of January 9, 2003. (information item)

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(b) Recommendation to approve jurisdiction of complaint of Michael Stoll v. Board of Supervisors. (See information in Item #4.) (action item)

(c) Basic questions to assist the Task Force in hearing evidence regarding complaints. (information item)

4. Public hearing, complaint of Michael Stoll v. Board of Supervisors regarding failure to release information. (20 min) (action item)

5. Report from Compliance & Amendments Committee meeting of January 8, 2003. (Heather Sterner) (10 min)

(a) Draft minutes of January 8, 2003. (information item)

(b) Withdrawal of referral to Ethics Commission regarding Cockrell complaint. (action item)

6. Discussion of Senate Constitutional Amendment 7. (Richard Knee) (15 min) (discussion and possible action item)

7. Discussion of possible community meetings as part of the Sunshine Ordinance review process. (Richard Knee) (15 min) (discussion and possible action item)

8. Report from Administrator. (Donna Hall) (5 min) (discussion item)

9. Public comment.

10. Future agenda items. (5 min) (discussion item)

Adjournment **Next Regular Meeting February 25, 2003**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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1.	Complainant presents his/her facts and evidence	5 minutes
2.	Other parties present facts and evidence	5 minutes each party
3.	City responds	5 minutes
4.	Complainant presents rebuttal	3 minutes
5.	Public comment	
6.	Matter is with the Task Force for discussion and deliberation	
7.	Vote by Task Force	

Note: Time must be adhered to
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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact Donna Hall by mail to Administrator, Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 409, San Francisco CA 94102-4689; by phone at 415 554 7724; by fax at 415 554 7854; or by email at Donna.Hall@sfgov.org.

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SUNSHINE ORDINANCE TASK FORCE

MINUTES*

Tuesday, January 28, 2003
4:00 p.m., City Hall, Room 408

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Task Force Members

Seat 1	Joshua Koltun
Seat 2	Bruce Brugmann
Seat 3	Richard Knee
Seat 4	Marie Harrison
Seat 5	Heather Sterner
Seat 6	Doug Comstock
Seat 7	Sue Cauthen
Seat 8	Garrett Jenkins
Seat 9	David Parker
Seat 10	Alexandra Nickliss
Seat 11	Marjorie Ann Williams
Ex-officio	Hala Hijazi
Ex-officio	Donna Hall

Note: First name after motion indicates initiator of motion; second name indicates seconder of motion. All motions unanimous except as noted.

The meeting convened at 4:00 p.m.

Roll Call: Present: Brugmann, Knee, Sterner, Comstock, Cauthen, Jenkins, Parker, Nickliss, Williams, Hall, Hijazi. Absent: Koltun/Harrison. (Koltun entered meeting after Item #1) (Harrison entered meeting during Item #4)

1. Approval of minutes of December 17, 2002.

   Motion adopted to approve the Minutes. (Knee/Nickliss) (Absent: Koltun, Harrison)

Member Koltun entered the meeting at this time.

2. Report from the City Administrator on progress of Index of Records.

Member Koltun entered the meeting at this time.

Jill Lerner from the City Administrator's office presented an oral report on the progress of the Index of Records.

Motion adopted that the Sunshine Ordinance Task Force send a letter of commendation for Jill Lerner's work on the Index of Records. (Comstock/Nickliss). (Absent: Harrison)

3. Report from Complaint Committee meeting of January 9, 2003.

Committee Chair Cauthen reported on the Complaint Committee meeting of January 9, 2003 and the "Basic Form to Assist the Task Force in Hearing Evidence."

(a) Draft minutes of January 9, 2003.

(b) Recommendation to approve jurisdiction of complaint of Michael Stoll v. Board of Supervisors.

Motion adopted to accept jurisdiction of Michael Stoll's complaint v. Board of Supervisors (Cauthen/Jenkins). (Absent: Harrison)

(c) Basic questions to assist the Task Force in hearing evidence regarding complaints.

4. Public hearing, complaint of Michael Stoll v. Board of Supervisors regarding failure to release information.

Michael Stoll addressed the Task Force in support of his complaint.

Dorji Roberts, Deputy City Attorney representing the Board of Supervisors Office, addressed the Task Force.

Public comment from Tom Burke, Attorney-at-Law, regarding his concern about the degree of opposition to the complainant's basic request.

Motion introduced to adopt the following Resolution as follows: (Brugmann/Nickliss)

> Resolved: Consistent with the California Public Records Act and the City and County's Sunshine Ordinance, the City and County of San Francisco shall make available for public inspection and copying, the records of all telephone and cell calls made by City employees (including elected officials) using equipment paid for by public funds. Providing such access is in the public interest and provides a check on potential abuses of public funds. Access to these records should take place without any redactions. If revealing a particular telephone number shall constitute an unwarranted invasion of privacy, the City should make every effort to provide as much information as possible, as required by state and local law. For example, in such circumstances, the last three digits of a particular telephone number may be redacted. Any such redactions made by the City may be challenged and subject to further review by the Sunshine Task Force or the courts.

Motion withdrawn by Member Brugmann.

Member Harrison entered the meeting at this time.

Motion introduced that the Sunshine Ordinance Task Force issue an Order of Determination finding that the Board of Supervisors violated the Sunshine Ordinance in not providing unredacted telephone records of the Supervisors to Mr. Stoll and that this matter be referred to the Ethics Commission unless the unredacted records are provided to Mr. Stoll within 14 calendar days. (Knee/Comstock).

Motion adopted to amend the above motion to remove the section "that this matter be referred to the Ethics Commission unless the unredacted records are provided to Mr. Stoll within 14 calendar days." (Koltun/Comstock)

Member Knee accepted the amendment to the motion.

Order of Determination adopted that the Sunshine Ordinance Task Force finds the Board of Supervisors in violation of the Sunshine Ordinance in not providing unredacted telephone records to the Complainant. (Knee/Comstock) (Ayes: Williams, Cauthen, Comstock, Harrison, Knee, Brugmann, Koltun) (Noes: Nickliss, Parker, Jenkins, Sterner)

5. Report from Compliance & Amendments Committee meeting of January 8, 2003.

Committee Chair Sterner reported on the Compliance & Amendments Committee meeting of January 8, 2003.

(a) Draft minutes of January 8, 2003.

(b) Withdrawal of referral to Ethics Commission regarding Cockrell complaint.

The consensus of the Task Force was that the Cockrell complaint remains with the Ethics Commission.

6. Discussion of Senate Constitutional Amendment 7.

Continued to the next meeting.

7. Discussion of possible community meetings as part of the Sunshine Ordinance review process.

Continued to the next meeting.

8. Report from Administrator.

Written report submitted by Administrator Donna Hall.

9. Public comment.

No public comment.

10. Future agenda items.

February meeting: a discussion of the approval process for staff complainants and Task Force members regarding investigating violations of the Sunshine Ordinance.

The meeting adjourned at 6:20 p.m.

Submitted by Donna L. Hall, Administrator

*The January 28, 2003 Sunshine Ordinance Task Force meeting has been recorded and is on file in the Sunshine Ordinance Task Force Office.

Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE

AGENDA

Tuesday, February 25, 2003
4:00 p.m.
City Hall, Room 408

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Marie Harrison	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

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Note: Each item on the Agenda may include minutes, department or agency letters and reports; Task Force reports; and public correspondence. These items will be available for review at City Hall, Sunshine Ordinance Task Force Office, Room 409.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of January 28, 2002. (5 min) (action item)

2. Report from Complaint Committee meeting of February 25, 2003. (Sue Cauthen) (15 min)

   Recommendation to approve/disapprove jurisdictional letters regarding the complaints of Anthony Imperial.

   (a) Complaint (dated 1/6/03) of Anthony Imperial against the Human Rights Commission for failure to provide records. (action item)

(b) Complaint (dated 1/14/03) of Anthony Imperial against the Recreation & Park Department for failure to provide records. (action item)

(c) Complaint (dated 1/6/03) of Anthony Imperial against the Department of Recreation & Parks for failure to provide records. (action item)

(d) Complaint (dated 1/6/03) of Anthony Imperial against Friends of Recreation & Park for failure to provide records. (action item)

3. Public hearings after a determination of jurisdiction regarding Anthony Imperial complaints. (60 min) (see materials in Item #2)

(a) Complaint (dated 1/6/03) of Anthony Imperial against the Human Rights Commission for failure to provide records. (action item)

(b) Complaint (dated 1/14/03) of Anthony Imperial against the Recreation & Park Department for failure to provide records. (action item)

(c) Complaint (dated 1/6/03) of Anthony Imperial against the Department of Recreation & Parks for failure to provide records. (action item)

(d) Complaint (dated 1/6/03) of Anthony Imperial against Friends of Recreation & Park for failure to provide records. (action item)

4. Report from Compliance & Amendments Committee meeting of February 12, 2003. (Heather Sterner) (information item) (10 min)

--Draft minutes of February 12, 2003.

5. Consideration of letter sent to the Board of Supervisors from the Clerk of the Board regarding the Michael Stoll complaint. (discussion and possible action) (10 min)

6. Representative from City College. (discussion item) (15 min)

7. Report from Rules Committee meeting of December 17, 2002. (Marie Harrison) (15 min)

(a) Draft minutes of December 17, 2002. (information item)

(b) Proposed guidelines for SOTF members who are aware of public records and/or public meeting laws violations. (discussion and possible action)

8. Report from Public Education & Information Committee meeting of February 13, 2003. (Bruce Brugmann) (information item) (10 min)

--Draft minutes of February 13, 2003.

9. Discussion of Senate Constitutional Amendment 7. (Richard Knee) (15 min) (discussion and possible action item)

10. Discussion of possible community meetings as part of the Sunshine Ordinance review process. (Richard Knee) (discussion and possible action item) (15 min)

11. Report from Administrator. (Donna Hall) (discussion item) (5 min)

12. Public comment.

13. Future agenda items. (discussion item) (5 min)

Adjournment **Next Regular Meeting March 25, 2003**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

1.	Complainant presents his/her facts and evidence	5 minutes
2.	Other parties present facts and evidence	5 minutes each party
3.	City responds	5 minutes
4.	Complainant presents rebuttal	3 minutes
5.	Public comment	
6.	Matter is with the Task Force for discussion and deliberation	
7.	Vote by Task Force	

Note: Time must be adhered to
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SUNSHINE ORDINANCE TASK FORCE

MINUTES*

Tuesday, February 25, 2003
4:00 p.m., City Hall, Room 408

Task Force Members

Seat 1	Joshua Koltun
Seat 2	Bruce Brugmann
Seat 3	Richard Knee
Seat 4	Marie Harrison
Seat 5	Heather Sterner
Seat 6	Doug Comstock
Seat 7	Sue Cauthen
Seat 8	Garrett Jenkins
Seat 9	David Parker
Seat 10	Alexandra Nickliss
Seat 11	Marjorie Ann Williams
Ex-officio	Hala Hijazi
Ex-officio	Donna Hall

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Note: First name after motion indicates initiator of motion; second name indicates seconder of motion. All motions unanimous except as noted.

Roll Call: Present: Koltun, Brugmann, Knee, Sterner, Comstock (entered meeting after Item #1), Cauthen, Jenkins, Parker, Nickliss. Absent: Harrison, Williams

1. Approval of minutes of January 28, 2002.

   Minutes approved. (Brugmann/Nickliss) (Absent: Comstock, Harrison, Williams)

2. Report from Complaint Committee meeting of February 25, 2003. (Sue Cauthen)

   The Complaint Committee meeting of February 25, 2003 was cancelled.

3. Public hearings after a determination of jurisdiction regarding Anthony Imperial complaints. Removed from agenda

4. Report from Compliance & Amendments Committee meeting of February 12, 2003. (Heather Sterner)

   --Draft minutes of February 12, 2003.

   Suggestion made to set a public hearing to discuss the non-profit regulations.

6. Representative from City College.

   Member Koltun and Member Nickliss recused themselves from this item.

   Chancellor Day addressed the Task Force; Anita Greer, President of the Board of Trustees, addressed the Task Force; Milton Marks, City College Board Member addressed the Task Force regarding the City College adoption of portions of the Sunshine Ordinance. A workshop will be scheduled for the Task Force and the City College Board to discuss the Sunshine Ordinance regulations.

   Public comment from Alexandra Nickliss regarding application of Sunshine Ordinance to City College departments.

12. Public comment.

   Public comment from Emeric Kalman regarding open meetings.
   Public comment from Peter Warfield regarding inclusion of documents in agenda packets.

5. Consideration of letter sent to the Board of Supervisors from the Clerk of the Board regarding the Michael Stoll complaint.

   Public comment from Michael Stoll regarding his complaint.

   The Compliance & Amendments Committee to monitor the status of this Order of Determination.

   Public comment from Peter Warfield regarding the releasing of telephone numbers.

7. Report from Rules Committee meeting of December 17, 2002. Continued to next meeting.

8. Report from Public Education & Information Committee meeting of February 13, 2003. Continued to next meeting.

9. Discussion of Senate Constitutional Amendment 7. Continued to next meeting.

10. Discussion of possible community meetings as part of the Sunshine Ordinance review process. Continued to next meeting

11. Report from Administrator. (Donna Hall)

    Report submitted.

13. Future agenda items. Continued to next meeting.

Submitted by Donna L. Hall, Administrator

*The February 25, 2003 Sunshine Ordinance Task Force meeting has been recorded and is on file in the Sunshine Ordinance Task Force Office.

Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
SPECIAL MEETING
AGENDA

Tuesday, March 25, 2003
3:00 p.m.
City Hall, Room 408

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Marie Harrison	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

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Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of February 25, 2003. (5 min) (action item)

2. Discussion of Senate Constitutional Amendment 1. (Richard Knee) (15 min) (discussion and possible action item)

3. Discussion of possible community meetings as part of the Sunshine Ordinance review process. (Richard Knee) (discussion and possible action item) (15 min)

4. Report from Rules Committee meeting of December 17, 2002. (Marie Harrison) (15 min)

   (a) Draft minutes of December 17, 2002. (information item)

   (b) Proposed guidelines for SOTF members who are aware of public records and/or public meeting laws violations. (discussion and possible action)

5. Report from Public Education & Information Committee meeting of February 13, 2003. (Bruce Brugmann) (information item) (10 min)

   --Draft minutes of February 13, 2003.

6. Report from Complaint Committee meeting of March 11, 2003. (Sue Cauthen) (15 min)

   (a) Draft minutes of March 11, 2003.

   (b) Recommendation to approve/disapprove jurisdictional letters regarding the complaints of Anthony Imperial.

      (1) Complaint (dated 1/6/03) of Anthony Imperial against the Human Rights Commission for failure to provide records. (action item)

      (2) Complaint (dated 1/14/03) of Anthony Imperial against the Recreation & Park Department for failure to provide records. (action item)

7. Public hearings after a determination of jurisdiction regarding Anthony Imperial complaints. (30 min) (see materials in Item #6)

   (a) Complaint (dated 1/6/03) of Anthony Imperial against the Human Rights Commission for failure to provide records. (action item)

   (b) Complaint (dated 1/14/03) of Anthony Imperial against the Recreation & Park Department for failure to provide records. (action item)

8. Report from Compliance & Amendments Committee meeting of March 18, 2003. (Heather Sterner) (information item) (10 min)

   --Draft minutes of March 18, 2003.

9. Report from Administrator. (Donna Hall) (discussion item) (5 min)

10. Public comment.

11. Future agenda items. (discussion item) (5 min)

Adjournment **Next Regular Meeting April 22, 2003**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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2.	Other parties present facts and evidence	5 minutes each party
3.	City responds	5 minutes
4.	Complainant presents rebuttal	3 minutes
5.	Public comment	
6.	Matter is with the Task Force for discussion and deliberation	
7.	Vote by Task Force	

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SUNSHINE ORDINANCE TASK FORCE

MINUTES*

Tuesday, March 25, 2003
3:00 p.m., City Hall, Room 408

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Task Force Members

Seat 1	Joshua Koltun
Seat 2	Bruce Brugmann
Seat 3	Richard Knee
Seat 4	Marie Harrison
Seat 5	Heather Sterner
Seat 6	Doug Comstock
Seat 7	Sue Cauthen
Seat 8	Garrett Jenkins
Seat 9	David Parker
Seat 10	Alexandra Nickliss
Seat 11	Marjorie Ann Williams
Ex-officio	Hala Hijazi
Ex-officio	Donna Hall

Note: First name after motion indicates initiator of motion; second name indicates seconder of motion. All motions unanimous except as noted.

Roll Call: Present: Koltun, Knee, Sterner, Comstock, Cauthen, Jenkins, Parker, Nickliss, Williams, Hall. Absent: Brugmann, Harrison, Hijazi.

1. Approval of minutes of February 25, 2003.

   Minutes approved. (Nickliss/Parker) (Absent: Brugmann, Harrison)

2. Discussion of Senate Constitutional Amendment 1.

   Motion adopted to send a letter to the Board of Supervisors and the Mayor urging the Board of Supervisors and the Mayor to endorse Senate Constitutional Amendment 1. (Knee/Parker) (Absent: Brugmann, Harrison)

3. Discussion of possible community meetings as part of the Sunshine Ordinance review process.

   Consensus that the Compliance and Amendments Committee would be the appropriate Committee to hold community meetings.

4. Report from Rules Committee meeting of December 17, 2002.

   Committee Member Parker reported on the Rules Committee meeting of December 17, 2002. A discussion was held regarding the proposed draft guidelines for Sunshine Ordinance Task Force members who are aware of public records and/or public meeting-laws violations. Chair Koltun and Deputy City Attorney, Ernest Llorente will meet to discuss amended language.

   Public comment from Raymond Smith regarding filing third party complaints.

5. Report from Public Education & Information Committee meeting of February 13, 2003.

   Member Jenkins reported on the Public Education & Information Committee meeting of February 13, 2003 and discussed web capabilities for Sunshine information. Member Parker recommended that the Public Education Committee go out into the community to educate non-profits about Sunshine.

6. Report from Complaint Committee meeting of March 11, 2003. Committee Chair Cauthen reported on the Complaint Committee meeting of March 11, 2003.

   Motion adopted to accept both jurisdictional letters regarding the complaints of Anthony Imperial. (Knee/Parker). (Absent: Brugmann, Harrison)

   --Complaint (dated 1/6/03) of Anthony Imperial against the Human Rights Commission for failure to provide records.

   --Complaint (dated 1/14/03) of Anthony Imperial against the Recreation & Park Department for failure to provide records.

7. Public hearings after a determination of jurisdiction regarding Anthony Imperial complaints.

   (a) Complaint (dated 1/6/03) of Anthony Imperial against the Human Rights Commission for failure to provide records. Mr. Imperial addressed the Task Force in support of his case. Mr. Villacarlos representing the Human Rights Commission addressed the Task Force.

Order of Determination adopted that pursuant to the stipulations by the parties of this complaint, the Human Rights Commission, within ten business days of the date of this order, will search for and produce any HRC Form 3 documents in its possession (including documents in archives) that were filed by vendors through the Recreation and Parks Department or the Port, relating to leases and concessions (i.e., of entities that "rent space, engage in lawful commerce, or do anything on City property"). In addition, HRC will provide any blank copies of Form 3 that have existed over time. (Knee/Nickliss) (Absent: Brugmann, Harrison).

(b) Complaint (dated 1/14/03) of Anthony Imperial against the Recreation & Park Department for failure to provide records. Continued for sixty days.

10. Public comment.

Public comment from Maurice Campbell, Community First Coalition, regarding a program called Mcubed funded by the San Francisco Department of Environment.

Public comment from Joe Fusco regarding Department standards for providing Sunshine information.

Public comment from Tom Johnson, Professor of Journalism San Francisco State University, regarding making Sunshine data available in a digital format and educating City employees on Section 67.21(l).

Public comment from Peter Warfield regarding what role the Sunshine Ordinance Task Force takes with regard to interpreting Section 67.30(c).

8. Report from Compliance & Amendments Committee meeting of March 18, 2003.

Committee Chair Sterner reported on the Compliance & Amendments Committee meeting of March 18, 2003. A meeting will be set up with Mr. Planthold, the newly elected Chair of the Ethics Commission to discuss concerns with Ethics Commission responses on Sunshine referrals. Chair Koltun and the Administrator will work together to draft a letter to the Recreation and Park Commission requesting that their Standing Committees take meeting minutes and request a response by a certain date. Member Nickliss will draft ideas in consultation with Deputy City Attorney Llorente about how the Sunshine Ordinance can be amended to develop penalties for non-compliance.

9. Report from Administrator.

Report given.

11. Future agenda items.

--12L regulations
--Guidelines for Task Force Members relating to public records complaints

The meeting adjourned at 6:30 p.m.

Submitted by Donna L. Hall, Administrator

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SUNSHINE ORDINANCE TASK FORCE
SPECIAL MEETING
AGENDA

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Tuesday, April 22, 2003
4:00 p.m.
City Hall, Room 408

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
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Seat 7	Sue Cauthen		

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Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of March 25, 2003. (5 min) (action item)

2. Complaint filed by Marcia Perez under Administrative Code 12L against Central American Resource Center for alleged violations of holding board meetings and retrieval of budget. (20 min) (action item)

3. Report from Complaint Committee meeting of April 8, 2003. (Sue Cauthen) (5 min) (action item)

   a. Draft minutes of April 8, 2003.

b. Recommendation to approve/disapprove jurisdictional letter regarding complaint of Peter Warfield against the San Francisco Public Library Commission for failure to provide records.

4. Public hearing, complaint of Peter Warfield against the San Francisco Public Library Commission for failure to provide records. (see information in item 3 b.) (15 min) (action item)

5. Report from Public Education & Information Committee. (Bruce Brugmann) (discussion item) (5 min)

   -- Draft minutes of April 10, 2003.

6. Administrator's Report. (Donna Hall) (discussion item) (5 min)

7. Public comment for items not listed on the agenda.

8. Future agenda items. (discussion item) (5 min)

Adjournment **Next Regular Meeting May 27, 2003**

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MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

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3.	City responds	5 minutes
4.	Complainant presents rebuttal	3 minutes
5.	Public comment	
6.	Matter is with the Task Force for discussion and deliberation	
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SUNSHINE ORDINANCE TASK FORCE

MINUTES*

Tuesday, April 22, 2003
4:00 p.m., City Hall, Room 408

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Task Force Members

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Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

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Roll Call: All present. (Harrison entered meeting after Item #1)

1. Approval of minutes of March 25, 2003.

   Minutes approved as amended. (Jenkins/Nickliss) (Harrison absent)

2. Complaint filed by Marcia Perez under Administrative Code 12L against Central American Resource Center for alleged violations of holding board meetings and retrieval of budget.

   Marcia Perez, Complainant, addressed the Task Force.

   Ramon Cardona, Central American Resource Center, addressed the Task Force.

-- Member Harrison entered the meeting at this time

   Based on the information provided the Task Force from Complainant Marcia Perez and from representatives from the Central American Resource Center, the following Order of Determination was adopted: (Brugmann/Jenkins)

CARECEN to provide Marcia Perez the following:

(a) Budget for 2002/2003
(b) Tax return for 2001 with attachments
(c) Financial audits for the last two years

Information to be provided to Marcia Perez within the next few days.

3. Report from Complaint Committee meeting of April 8, 2003.

   a. Draft minutes of April 8, 2003.

   b. Recommendation to approve/disapprove jurisdictional letter regarding complaint of Peter Warfield against the San Francisco Public Library Commission for failure to provide records.

      Comment from Catharine Barnes, Deputy City Attorney regarding jurisdiction of the complaint.

      Public comment from Peter Warfield regarding unreasonable delay in producing documents. (See attached summary of Mr. Warfield's comments.)

      Public comment from Emeric Kalman regarding Library submission of public records.

      Public comment from female speaker regarding copies of minutes.

      Motion adopted approving the Complaint Committee recommendation of jurisdiction of this complaint. (Cauthen/Nickliss) (Parker no)

4. Public hearing, complaint of Peter Warfield against the San Francisco Public Library Commission for failure to provide records.

   Member Cauthen stated she did not feel she had a conflict of interest regarding this complaint.

   Peter Warfield, Complainant, addressed the Task Force.

   Catharine Barnes, Deputy City Attorney, addressed the Task Force.

   Public comment from Emeric Kalman regarding delay in receiving public records.

   Susan Hildreth, City Librarian, addressed the Task Force.

   Michael Housh, Commission Secretary, addressed the Task Force.

Motion introduced to dismiss the complaint. (Parker/Sterner) (Ayes: Koltun, Sterner, Parker) (Noes: Brugmann, Knee, Harrison, Comstock, Cauthen, Jenkins, Nickliss, Williams) The motion failed.

Based on the information provided the Task Force from Complainant Peter Warfield and from representatives from the San Francisco Public Library, the following Order of Determination was adopted as follows: (Harrison/Knee) (Ayes: Brugmann, Knee, Harrison, Comstock, Cauthen, Jenkins, Williams) Noes: Koltun, Sterner, Parker, Nickliss)

> The information requested from Complainant was not provided in a timely manner and the San Francisco Public Library violated Section 67.25 (d) of the Sunshine Ordinance.

-- Member Cauthen left the meeting at this time.

5. Report from Public Education & Information Committee.

-- Draft minutes of April 10, 2003.

Committee Chair Bruce Brugmann reported on the Committee meeting of April 10, 2003.

6. Administrator's Report.

Written report submitted by Administrator Donna Hall.

7. Public comment for items not listed on the agenda.

Public comment from Maurice Campbell regarding filing a complaint.

Public comment from Peter Warfield regarding amendments to the Sunshine Ordinance.

Public comment from Emeric Kalman regarding Park and Recreation public meetings.

8. Future agenda items.

None

The meeting adjourned at 7:05 p.m.

Submitted by Donna L. Hall, Administrator

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2. For the 4/22/03 SOTF meeting, under Report from Complaint Committee meeting public comment

I respectfully but vigorously disagree with the jurisdiction letter of the Task Force's (SOTF's) Deputy City Attorney (DCA). It says the SOTF has no jurisdiction because the Library provided access to the Richmond Branch Library Expansion and Renovation Proposition 14 Application eight days after my request.

First, Sunshine says requested material must be provided "without unreasonable delay" [67.21(a)], and "as soon as possible and within 10 days" [67.21(b)]. Ten days is not automatically allowed, as argued by the DCA.

Second, a document listed on the agenda as being available now should be provided promptly. Third, parts of the document were completed months earlier -- one section 10 years ago. These portions should have been provided more promptly than in eight days.

Finally, the argument that "I got what they (the Commissioners) got" is irrelevant. I asked for material independently from the Commission and should have received it promptly and in full.

Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
AGENDA

Tuesday, May 27, 2003
4:00 p.m.
City Hall, Room 408

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Task Force Members

Seat 1	Joshua Koltun	Seat 8	Garrett Jenkins
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Call to Order
Roll Call
Agenda Changes

1. Presentation of certificate to outgoing member Marie Harrison and welcome to new member Pawan Mehra. (discussion item)

-- Recess for 15 minutes

2. Approval of minutes of April 22, 2003 (5 min) (action item)

3. Election of Officers (10 min) (action item)

   (a) Chair
   (b) Vice Chair

4. Report from Deputy City Attorney (10 min) (discussion & possible action)

   (a) Sole source contracts

   (b) Proposed guidelines for Task Force Members

5. Report from Complaint Committee meeting of May 13, 2003 (Sue Cauthen) (5 min) (action items)

   a. Draft minutes of May 13, 2003.

   b. Recommendation to approve/disapprove jurisdictional letters regarding:

      (1) Complaint of Daisy Buel against the Greenbook Project

      (2) Complaint of Jason Grant Garza against the City Attorney's Office (public hearing to be held June 24, 2003).

      (3) Complaint of Peter Warfield against the Library Commission

6. Public hearing, complaint of Daisy Buel against the Greenbook Project for failure to provide records. (see information in item 5 b (1) (15 min) (action item)

7. Public hearing, complaint of Peter Warfield against the San Francisco Public Library Commission for failure to provide meaningful description on agenda. (see information in item 5 b (3) (15 min) (action item)

8. Report from Compliance & Amendments Committee. (Heather Sterner) (discussion item) (5 min)

   -- Draft minutes of May 6, 2003.

9. Report from Public Education & Information Committee. (Bruce Brugmann) (discussion item) (5 min)

10. Discussion regarding Governor Gray Davis' proposal to eliminate from the Ralph M. Brown Act the mandate that regional and local governing and advisory bodies post meaningful agendas of their meetings. (Richard Knee) (action item) (15 min)

11. Administrator's Report. (Donna Hall) (discussion item) (5 min)

12. Public comment for items not listed on the agenda.

13. Future agenda items. (discussion item) (5 min)

Adjournment **Next Regular Meeting June 24, 2003**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

1.	Complainant presents his/her facts and evidence	5 minutes
2.	Other parties present facts and evidence	5 minutes each party
3.	City responds	5 minutes
4.	Complainant presents rebuttal	3 minutes
5.	Public comment	
6.	Matter is with the Task Force for discussion and deliberation	
7.	Vote by Task Force	

Note: Time must be adhered to
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Disability Access: The hearing room is wheelchair accessible.

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

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Sunshine Ordinance Task Force

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http://www.sfgov.org/sunshine

7/03

SUNSHINE ORDINANCE TASK FORCE

MINUTES*

DOCUMENTS DEPT.
JUN 27 2003
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PUBLIC LIBRARY

Tuesday, May 27, 2003
4:00 p.m., City Hall, Room 408

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Pawan Mehra	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

Note: First name after motion indicates initiator of motion; second name indicates seconder of motion. All motions unanimous except as noted.

Call to Order

The meeting convened at 4:05 p.m.

Roll Call: All members present. (Member Knee entered the meeting during Item 5b2)

Agenda Changes: Item 1 taken after Item 2; item 3 taken after item 5; item 4 taken after item 1.

2. Approval of minutes of April 22, 2003.

   Minutes approved. (Jenkins/Nickliss) (Knee Absent)

1. Presentation of certificate to outgoing member Marie Harrison and welcome to new member Pawan Mehra.

   The certificate was presented to outgoing member Harrison. Members of the Task Force commended her service to the Task Force. New member Mehra was welcomed and introduced himself.

Public comment from Mr. Peter Warfield commending member Harrison for her service and welcoming new member Mehra.

-- Recess for 15 minutes.

Recessed at 4:12 p.m. Reconvened at 4:27 p.m.

4. Report from Deputy City Attorney

(a) Sole source contracts

Report from Deputy City Attorney Ernest Llorente given on sole source contracts. The Government Team of the City Attorney's Office is in the process of drafting legislation to be introduced at a Committee of the Board of Supervisors in the near future.

(b) Proposed guidelines for Task Force Members

Motion adopted approving the Proposed Guidelines for Task Force Members (Parker/Cauthen) (Absent: Knee)

Member Cauthen stated "Member Parker read a statement at the Complaint Committee meeting apologizing for derogatory comments about the conduct of the April meeting, and a decision with which he disagreed. This was a courageous and magnanimous gesture and I wish it added to the minutes of the May meeting."

5. Report from Complaint Committee meeting of May 13, 2003 (Sue Cauthen)

a. Draft minutes of May 13, 2003.

b. Recommendation to approve/disapprove jurisdictional letters regarding:

(1) Complaint of Daisy Buel against the Greenbook Project.

Motion adopted approving the Complaint Committee recommendation of jurisdiction of this complaint. (Cauthen/Nickliss) (Knee Absent)

(2) Complaint of Jason Grant Garza against the City Attorney's Office (public hearing to be held June 24, 2003).

Member Knee entered the meeting during this item.

Motion adopted approving the Complaint Committee recommendation of jurisdiction of this complaint. (Cauthen/Parker) (Koltun Recused)

(3) Complaint of Peter Warfield against the Library Commission.

Motion adopted approving the Complaint Committee recommendation of jurisdiction of this complaint. (Cauthen/Parker)

3. Election of Officers

(a) Chair

Motion adopted nominating Member Jenkins as Chair (Sterner/Williams)

Chair Koltun was commended for his year of service as Chair.

(b) Vice Chair

Motion adopted nominating Member Nickliss as Vice-Chair (Cauthen/Knee)

6. Public hearing, complaint of Daisy Buel against the Greenbook Project for failure to provide records.

Complainant Daisy Buel spoke in favor of her complaint.

Janice Anderson Santos, Deputy Director of the Department of Human Services, spoke on behalf of the Greenbook Project.

Public comment from Peter Warfield regarding specifying Sunshine Ordinance code sections in the Order of Determinations.

Order of Determination adopted as follows: (Comstock/Brugmann)

The Greenbook Project is in violation of the Sunshine Ordinance Sections 67.21 (c), 67.29-7 (c) and 67.24 (f) for failure to provide records.

At this time the Greenbook Project will provide to Complainant Daisy Buel:

(a) Actual budget expenditures of the Greenbook Project for 2001 and 2002

(b) Projected budget expenditures for the Greenbook Project for 2003.

This information will be provided to Complainant Daisy Buel forthwith.

-- Members Brugmann and Comstock left the meeting at this time.

7. Public hearing, complaint of Peter Warfield against the San Francisco Public Library Commission for failure to provide meaningful description on agenda.

Complainant Peter Warfield spoke in favor of his complaint.

Michael Housh, San Francisco Public Library Commission representative, spoke in favor of the Library Commission.

Motion adopted to call the question to dismiss the complaint: (Koltun/Nickliss) (Ayes: Koltun, Knee, Mehra, Sterner, Jenkins, Parker, Nickliss) (Noes: Cauthen, Williams) (Absent: Brugmann, Comstock)

Complainant Peter Warfield spoke in support of his complaint.

Order of Determination adopted as follows: (Parker/Sterner) (Ayes: Koltun, Knee, Mehra, Cauthen, Sterner, Jenkins, Parker, Nickliss) (Noes: Williams) (Absent: Brugmann, Comstock)

This complaint is dismissed.

-- Member Koltun left the meeting at this time.

8. Report from Compliance & Amendments Committee.

-- Draft minutes of May 6, 2003.

Committee Chair Sterner reported on the Committee meeting of May 6, 2003.

-- Member Sterner left meeting at this time.

9. Report from Public Education & Information Committee.

Committee Member Williams reported on the Public and Education Committee meeting of May 22, 2003.

10. Discussion regarding Governor Gray Davis' proposal to eliminate from the Ralph M. Brown Act the mandate that regional and local governing and advisory bodies post meaningful agendas of their meetings.

The following Resolution adopted opposing Governor Gray Davis' mandate and requesting his withdrawal of this proposal. (Knee/Nickliss) (Absent: Koltun, Comstock, Sterner, Brugmann)

WHEREAS California's open-meetings law known as the Ralph M. Brown Act includes a mandate that local policy-making and advisory bodies post meaningful agendas of their meetings at least 72 hours in advance; and

WHEREAS California Governor Gray Davis has proposed, in his 2003-04 budget package, a provision permanently eliminating said mandate; and

WHEREAS the savings that Governor Davis touts in his proposal would be addressed better by requiring local policy-making and advisory bodies to improve their internal fiscal procedures than by eliminating the agenda-posting mandate; and

WHEREAS history has shown that the absence of such a mandate gives rise to secret meetings and resultant fiscal waste far exceeding any savings that Governor Davis' proposal would produce,

NOW, THEREFORE, BE IT RESOLVED that the San Francisco Sunshine Ordinance Task Force (SOTF) declares its strong opposition to Governor Davis' proposal to eliminate the agenda-posting mandate.

BE IT FURTHER RESOLVED that the SOTF asks Mayor Willie Brown, Jr., and all members of the Board of Supervisors, individually and as a body, to urge Governor Davis to withdraw said proposal, and to urge San Francisco's representatives in the California Legislature to use their good offices to defeat said proposal.

11. Administrator's Report.

    Written report submitted by Administrator Donna Hall.

    Emergency procedures were discussed.

12. Public comment for items not listed on the agenda.

    None.

13. Future agenda items.

    Sole source contracts.

The meeting adjourned at 6:35 p.m.

Submitted by Donna L. Hall, Administrator

*The 5/27/03 Sunshine Ordinance Task Force minutes have been audio recorded and are on file in the Sunshine Ordinance Task Force Office.

Sunshine Ordinance Task Force

City Hall
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TDD/TTY No. 544-5227

http://www.sfgov.org/sunshine/

6/24/03

SUNSHINE ORDINANCE TASK FORCE AGENDA

DOCUMENTS DEPT.
JUN 20 2003
SAN FRANCISCO PUBLIC LIBRARY

Tuesday, June 24, 2003
4:00 p.m.
City Hall, Room 408

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Pawan Mehra	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

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Note: Each item on the Agenda may include minutes, department or agency letters and reports; Task Force reports; and public correspondence. These items will be available for review at City Hall, Sunshine Ordinance Task Force Office, Room 244.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of May 27, 2003. (action item) (5 min)

2. Report from Compliance & Amendments Committee (Heather Sterner) (discussion item) (5 min)

   -- Draft minutes of June 3, 2003.

3. Report from Complaint Committee. (Sue Cauthen) (5 min)

   a. Draft minutes of 6-10-03 (discussion item)

   b. Jurisdictional letter of complaint of Michael Stoll against the Department of Elections for failure to provide records. (action item)

   c. Jurisdictional letter of complaint of Dan Boreen against the Fire Department for failure to provide records. (action item)

4. Public hearing, complaint of Jason Grant Garza against the City Attorney's Office for failure to provide records. (action item) (20 min)

5. Public hearing, complaint of Dan Boreen against the Fire Department for failure to provide records. (action item) (20 min) (see information in Item 3 c.)

6. Public hearing, complaint of Michael Stoll against the Elections Department for failure to provide records. (action item) (20 min) (see information in Item 3 b.)

7. Reconsideration of Order of Determination of complaint of Peter Warfield against the San Francisco Public Library for failure to provide records. (Michael Housh) (action item) (15 min)

8. Consideration of Ethics Commission representation to the Task Force. (Garrett Jenkins) (action item) (15 min)

9. Administrator's Report. (Donna Hall) (discussion item) (5 min)

10. Public comment for items not listed on the agenda.

11. Future agenda items. (discussion item) (5 min)

Adjournment **Next Regular Meeting July 22, 2003**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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2.	Other parties present facts and evidence	5 minutes each party
3.	City responds	5 minutes
4.	Complainant presents rebuttal	3 minutes
5.	Public comment	
6.	Matter is with the Task Force for discussion and deliberation	
7.	Vote by Task Force	

Note: Time must be adhered to
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[All Committees]
Government Document Section
Main Library

Sunshine Ordinance Task Force

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4/03

SUNSHINE ORDINANCE TASK FORCE

*MINUTES

DOCUMENTS DEPT.

JUL 25 2003

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Tuesday, June 24, 2003
4:00 p.m., City Hall, Room 408

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Pawan Mehra	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

Note: First name after motion indicates initiator of motion; second name indicates seconder of motion. All motions unanimous except as noted.

Roll Call: Present: Brugmann, Knee, Mehra, Sterner, Cauthen, Jenkins, Parker, Nickliss, Williams. Absent: Koltun, Comstock

Agenda Changes: Item 4 to be taken after Item 6.

1. Approval of minutes of May 27, 2003.

   Minutes approved. (Parker/Nickliss) (Absent: Koltun, Comstock)

2. Report from Compliance & Amendments Committee

   Oral report from Chair Sterner.

3. Report from Complaint Committee.

   a. Oral report from Chair Cauthen

b. Jurisdictional letter of complaint of Michael Stoll against the Department of Elections for failure to provide records.

Motion adopted approving jurisdiction of the complaint of Michael Stoll. (Cauthen/Parker) (Absent: Koltun, Comstock)

c. Jurisdictional letter of complaint of Dan Boreen against the Fire Department for failure to provide records.

Motion adopted approving jurisdiction of the complaint of Dan Boreen. (Cauthen/Parker) (Absent: Koltun, Comstock)

5. Public hearing, complaint of Dan Boreen against the Fire Department for failure to provide records.

Complainant Dan Boreen addressed the Task Force in support of his complaint.

Fire Department Assistant Deputy Chief Lorrie Kalos addressed the Task Force in support of the Fire Department.

Motion adopted to continue this item to the Task Force meeting of July 22, 2003 and request Deputy Chief Asaro and Assistant Deputy Chief Joanne Hayes-White attend the meeting. (Nickliss/Parker) (Absent Koltun, Comstock)

10. Public comment for items not listed on the agenda.

Public comment from Jason Grant Garza regarding the decisions of the Sunshine Ordinance Task Force.

6. Public hearing, complaint of Michael Stoll against the Elections Department for failure to provide records.

Complainant Michael Stoll addressed the Task Force in support of his complaint.

Suzanne Berg, representing the Department of Elections, addressed the Task Force stating the unredacted phone bills could be released.

Order of Determination adopted as follows: (Parker/Sterner) (Absent: Koltun, Comstock)

(1) The Department of Elections has the requested records, and

(2) There is no right to privacy of the telephones assigned to poll workers, and

(3) The records requested will be released unredacted.

4. Public hearing, complaint of Jason Grant Garza against the City Attorney's Office for failure to provide records.

Complainant Jason Grant Garza addressed the Task Force regarding his complaint.

Scott Burrell, representing the City Attorney's Office, addressed the Task Force.

Order of Determination adopted as follows: (Cauthen/Nickliss) (Ayes: Brugmann, Knee, Mehra, Sterner, Cauthen, Jenkins, Parker, Nickliss, Williams) (Noes: None) (Absent: Koltun, Comstock)

(1) The City Attorney's Office is in violation of the Sunshine Ordinance in not responding in a timely fashion to the Immediate Disclosure request, and

(2) There is no violation of the Sunshine Ordinance in not providing attorney notes that are under the Attorney Work Product Privilege provision.

7. Reconsideration of Order of Determination of complaint of Peter Warfield against the San Francisco Public Library for failure to provide records.

Michael Housh, representing the San Francisco Public Library Commission, addressed the Task Force in support of the Library Commission's request that the Task Force take action to rescind the Order of Determination adopted April 22, 2003.

Public comment from Peter Warfield requesting the Task Force not reconsider the Order of Determination.

Public comment from Jason Grant Garza regarding responding to public records in a timely manner.

Public comment from Joan Girardot requesting the Task Force not reconsider the Order of Determination.

Public comment from Emeric Kalman requesting the Task Force not reconsider the Order of Determination.

Public comment from David Green requesting the Task Force not reconsider the Order of Determination.

No action taken by the Task Force.

8. Consideration of Ethics Commission representation to the Task Force.

   Consensus of the Task Force that the Chair of the Task Force meet with the Chair of the Ethics Commission to discuss the benefits of a liaison between the Task Force and the Ethics Commission.

   Public comment from Jason Grant Garza regarding the Ethics Commission.

9. Administrator's Report.

   Written report submitted.

11. Future agenda items

   Public comment from Joan Girardot regarding minutes of boards and commissions.

   Public comment from Peter Warfield regarding public disclosure of records.

The meeting adjourned at 6:35 p.m.

Submitted by Donna L. Hall, Administrator

*The 6/24/03 Sunshine Ordinance Task Force minutes have been audio recorded and are on file in the Sunshine Ordinance Task Force Office.

Sunshine Ordinance Task Force

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22/03

SUNSHINE ORDINANCE TASK FORCE
AGENDA

DOCUMENTS DEPT.

JUL 17 2003

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Tuesday, July 22, 2003
4:00 p.m.
City Hall, Room 408

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
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Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of June 24, 2003. (Donna Hall) (action item) (5 min)

2. Report from Chair of Task Force (Garrett Jenkins) (discussion and/or action item) (5 min)

   --Report of meeting with Ethics Commission representative

3. City Administrator semi-annual report on progress of index of records. (Jill Lerner) (discussion item) (10 min)

4. Report from Compliance & Amendments Committee (Richard Knee) (discussion item) (5 min)

   -- Draft minutes of July 9, 2003.

5. Report from Public Education & Information Committee (David Parker) (discussion item) (5 min)

   -- Draft minutes of July 16, 2003.

6. Report from Complaint Committee. (Doug Comstock) (action item) (5 min)

   a. Draft minutes of 7-15-03.

   b. Jurisdictional letter of 7/8/03 complaint of Dan Boreen against the Fire Department for failure to provide records.

7. Public hearing (continued from 6/24/03), 6/3/03 complaint of Daniel Boreen against the Fire Department for failure to provide records. (action item) (20 min)

8. Public hearing, 7/8/03 complaint of Daniel Boreen against the Fire Department for failure to provide records. (action item) (20 min)

   -- Jurisdictional letter and 7/8/03 complaint of Daniel Boreen against the Fire Department for failure to provide records.

9. Administrator's Report. (Donna Hall) (discussion item) (5 min)

   -- 2002 Sunshine Ordinance Task Force Annual Report

10. Public comment for items not listed on the agenda.

11. Future agenda items. (discussion item) (5 min)

Adjournment **Next Regular Meeting August 26, 2003**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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Sunshine Ordinance Task Force

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AUG 28 2003

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SUNSHINE ORDINANCE TASK FORCE
*MINUTES

Tuesday, July 22, 2003
4:00 p.m., City Hall, Room 408

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Pawan Mehra	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

Note: First name after motion indicates initiator of motion; second name indicates seconder of motion. All motions unanimous except as noted.

Roll Call: Present: Brugmann, Comstock, Knee, Mehra, Sterner, Cauthen, Jenkins, Parker, Nickliss, Williams. Absent: Koltun

Agenda Changes: Items 7 and 8 were heard together.

1. Approval of minutes of June 24, 2003.

   Public comment from Peter Warfield (1) requesting more detail in the minutes, and (2) stating that on Item 7 Page 3 of the Minutes, public comment from Emeric Kalman not included.

   Minutes approved with two amendments correcting the name of Michael House to Michael Housh and adding public comment from Emeric Kalman on Item 7. (Nickliss/Cauthen) (Absent: Koltun)

2. Report from Chair of Task Force

   Chair Jenkins reported on his meeting with the Ethics Commission. Motion adopted to send to the Rules Committee the creation of a liaison position between the Task Force and the Ethics Commission and to define the position's duties. (Parker/Nickliss) (Absent: Koltun)

3. City Administrator semi-annual report on progress of index of records.

   Jill Lerner from the City Administrator's office presented the semi-annual report, reporting that the following departments have not yet posted their index of records: Office of Citizen Complaints, Planning, District Attorney, Police Department, Human Resources, Sheriff, Commission on Status of Women, Health Services, Juvenile Probation, Community Health Network, Port Authority, Housing Authority, Human Rights Commission, Public Utilities Commission, Public Administration/Public Guardian, and Aging & Adult Services.

4. Report from Compliance & Amendments Committee

   Committee report from Committee Chair Knee.

   Public comment from Peter Warfield (1) non-profits being left out of the revisions to Proposition G; (2) in support of accessible times for working people to attend community meetings; (3) issues being turned over to passive meeting bodies to circumvent restrictions of other meeting bodies; and (4) the Task Force pursuing department compliance with providing information for the Index of Records.

5. Report from Public Education & Information Committee

   Committee report from Committee Chair Parker.

   Public comment from Lurilla Harris requesting a report on the Draft Minutes.

   Public comment from Peter Warfied (1) commending the effort to contact the Board of Supervisors to set up community meetings within their district; (2) clarifying the wording of the minutes in Item 3; and (3) inquiring about the reference to the custodian of records as being one per department in Item 4.

6. Report from Complaint Committee

   Committee report from Committee Chair Comstock.

   Motion adopted approving jurisdiction of the 7/8/03 complaint of Dan Boreen against the Fire Department. (Cauthen/Knee) (Absent: Koltun)

   Public comment from Lorrie Kalos, Assistant Deputy Chief of the San Francisco Fire Department inquiring about the agenda notification process.

7& 8. Public hearing (continued from 6/24/03), 6/3/03 complaint of Daniel Boreen against the Fire Department for failure to provide records.

Public hearing, 7/8/03 complaint of Daniel Boreen against the Fire Department for failure to provide records.

Daniel Boreen spoke in support of his complaints.

Assistant Deputy Chief Kalos spoke in support of the Fire Department.

Public comment from Deputy Chief Joseph Asaro of the Fire Department on the non-availability of a computer generated calendar and that the Sunshine Ordinance does not require his classification to maintain a calendar.

Public comment from Lurilla Harris in support of requiring Deputy Chief Asaro to maintain a calendar.

Public comment from Joanne Hayes-White, Deputy Chief and Director of Training for the Fire Department on providing the requested Fire Department email records to Mr. Boreen.

Order of Determination adopted as follows: (1) Joanne Hayes will submit the email records requested for the San Francisco Fire Department; (2) the San Francisco Fire Department will provide the inventory list they have from September 1999 to present; (3) Ms. Kalos and Mr. Boreen will meet to define a query for the 2002 disqualification list for the information requested; (4) Items 4 and 5 of 7/8/03 complaint have been satisfied by both parties; (5) Item 6 regarding classification--Mr. Boreen will be recommended to go to the Civil Service Commission if need be; and (6) On Item 7 it is recommended that Mr. Boreen follow-up with the Purchasing Department. (Parker/Nickliss) (Ayes: Brugmann, Knee, Mehra, Sterner, Comstock, Cauthen, Jenkins, Nickliss, Parker, Williams) (Absent: Koltun).

(7) As long as there is an agreement between both parties, and phone records would be reviewed in a manner that is satisfactory to both parties, there would not be a violation of the Sunshine Ordinance. (Comstock/Knee) (Ayes: Brugmann, Knee, Mehra, Sterner, Comstock, Cauthen, Jenkins, Nickliss, Williams) (Noes: Parker) (Absent: Koltun).

The Compliance and Amendments Committee will follow up if there is failure on any of these items.

9. Administrator's Report

Administrator Hall submitted a written report and requested that additions suggestions to the Annual Report be forwarded to her by July 25, 2003.

10. Public comment for items not listed on the agenda. No public comment.

11. Future agenda items. None

The meeting adjourned at 7:15 p.m.

Submitted by Donna L. Hall, Administrator

*The 7/22/03 Sunshine Ordinance Task Force minutes have been audio recorded and are on file in the Sunshine Ordinance Task Force Office.

Sunshine Ordinance Task Force

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-7724
Fax No. 554-7854
TDD/TTY No. 544-5227

http://www.sfgov.org/sunshine/

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SUNSHINE ORDINANCE TASK FORCE
COMMUNITY COLLEGE DISTRICT BOARD
AGENDA
SPECIAL MEETING

Tuesday, August 5, 2003
4:00 p.m., City Hall, Room 421

Task Force Members

Seat 1	Joshua Koltun	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Pawan Mehra	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Note: Each item on the Agenda may include minutes, department or agency letters and reports; Task Force reports; and public correspondence. These items will be available for review at City Hall, Sunshine Ordinance Task Force Office, Room 244.

Call to Order
Roll Call
Agenda Changes

1. Current status of Sunshine Ordinance recommendations by the Community College District. (discussion item)

2. Open discussion with the Community College District Board regarding the Sunshine Ordinance. (discussion and possible action)

3. Public comment for items not listed on the agenda.

Adjournment

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

1.	Complainant presents his/her facts and evidence	5 minutes
2.	Other parties present facts and evidence	5 minutes each party
3.	City responds	5 minutes
4.	Complainant presents rebuttal	3 minutes
5.	Public comment	
6.	Matter is with the Task Force for discussion and deliberation	
7.	Vote by Task Force	

Note: Time must be adhered to
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Disability Access: The hearing room is wheelchair accessible.

Chemical-Based Products: In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City to accommodate these individuals.

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact Donna Hall by mail to Administrator, Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102-4689; by phone at 415 554 7724; by fax at 415 554 7854; or by email at Donna.Hall@sfgov.org.

Citizens interested in obtaining a free copy of the Sunshine Ordinance can request a copy from Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, http://www.sfgov.org/sunshine/

Sunshine Ordinance Task Force

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http://www.sfgov.org/sunshine/

SUNSHINE ORDINANCE TASK FORCE
COMMUNITY COLLEGE DISTRICT BOARD
*MINUTES
SPECIAL MEETING

Tuesday, August 5, 2003
4:00 p.m., City Hall, Room 421

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Task Force Members

Seat 1	Joshua Koltun	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Pawan Mehra	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

Roll Call: Present: Brugmann, Comstock, Knee, Cauthen, Jenkins, Parker, Nickliss, Williams. Absent: Koltun, Mehra, Sterner

Board of Trustees

Anita Grier	Lawrence Wong
Natalie Berg	Johnnie L. Carter, Jr.
Milton Marks, III	Julio J. Ramos
Rodel E. Rodis	Gloriamarie Caluen, Student Trustee

Roll Call: Present: Grier, Berg, Carter, Marks, Ramos

1. Current status of Sunshine Ordinance recommendations by the Community College District.

   Dr. Phillip R. Day, Jr., Chancellor, stated that it is intended that a Resolution would be brought to the Board of Trustees to adopt the five recommendations of the Sunshine Ordinance Advisory Committee at the August meeting. These recommendations are outlined in the June 23, 2003 Minutes of Meeting of City College of San Francisco Public Meeting/Public Records-Advisory Committee (PM/PR-AC), page 5. There are ten additional recommendations in a Resolution that the Board of Trustees approved in June 2002.

Member Cauthen left the meeting at this time.

2. Open discussion with the Community College District Board regarding the Sunshine Ordinance.

   The following issues were discussed regarding City College adopting provisions of the Sunshine Ordinance:

   - Complete disclosure of negotiations for large and sole source contracts.
   - Procurement disclosure process.
   - Recording of closed session meetings.
   - Establishment of open meeting guidelines for passive meeting bodies.
   - Setting reasonable open meeting posting requirements for emergency meetings.
   - Have City College consider enforcement and compliance procedures at City College.

   Members from the Sunshine Ordinance Task Force and the City College Board selected specific members to select issues to be discussed for the next meeting agenda to be scheduled within the next two months.

Member Cauthen returned to the meeting at this time.

3. Public comment for items not listed on the agenda.

   No public comment.

The meeting adjourned at 5:50 p.m.

Submitted by Donna L. Hall, Administrator

*The 8/5/03 Sunshine Ordinance Task Force minutes have been audio recorded and are on file in the Sunshine Ordinance Task Force Office.

Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
AGENDA

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AUG 21 2003

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Tuesday, August 26, 2003
4:00 p.m.
City Hall, Room 408

Task Force Members

Seat 1	Vacant	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Pawan Mehra	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

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Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of July 22 and August 5, 2003. (Donna Hall) (action item) (5 min)

2. Report from Compliance & Amendments Committee (Richard Knee) (discussion item) (5 min)

   -- Draft minutes of August 13, 2003.

3. Report from Complaint Committee. (Bruce Brugmann)

   A. Draft minutes of August 12, 2003. (information item)

B. Jurisdictional letter of July 13, 2003, complaint of Sue Cauthen against the Public Library. (action item) (5 min)

4. Public hearing, July 13, 2003 complaint of Sue Cauthen against the Public Library for failure to provide (1) adequate notice of two passive meetings; (2) copies of complete emails; and (3) adequate assistance in obtaining documents. (action item) (20 min)

5. Administrator's Report. (Donna Hall) (discussion item) (5 min)

6. Public comment for items not listed on the agenda. (discussion item) (10 min)

7. Future agenda items. (discussion item) (5 min)

Adjournment **Next Regular Meeting September 23, 2003**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

1.	Complainant presents his/her facts and evidence	5 minutes
2.	Other parties present facts and evidence	5 minutes each party
3.	City responds	5 minutes
4.	Complainant presents rebuttal	3 minutes
5.	Public comment	
6.	Matter is with the Task Force for discussion and deliberation	
7.	Vote by Task Force	

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Sunshine Ordinance Task Force

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http://www.sfgov.org/sunshine/

SUNSHINE ORDINANCE TASK FORCE
*MINUTES

Tuesday, August 26, 2003
4:00 p.m., City Hall, Room 408

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Task Force Members

Seat 1	Vacant	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Pawan Mehra	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

Note: First name after motion indicates initiator of motion; second name indicates seconder of motion. All motions unanimous except as noted.

Roll Call: Present: Brugmann, Comstock, Knee, Cauthen, Jenkins, Parker, Nickliss, Sterner, Williams. Absent: Mehra

The meeting convened at 4:03 p.m.

1. Approval of minutes of July 22 and August 5, 2003.

   Public comment from Peter Warfield requesting an amendment to the July 22 minutes to place public comment prior to approval of the minutes.

   Minutes of the July 22, 2003 meeting approved with an amendment placing the public comment section prior to approval of the minutes. (Parker/Williams) (Absent: Mehra)

   Member Nickliss requested that the August 5 minutes, Item 2 be amended from "setting up a compliance process at City College..." to "have City College consider enforcement and compliance procedures at City College."

   Minutes of the August 5, 2003 meeting approved with an amendment to replace "setting up a compliance process at City College for persons with complaints" to "have City College consider enforcement and compliance procedures at City College." (Nickliss/Comstock) (Absent: Mehra)

2. Report from Compliance & Amendments Committee.

Committee Chair Knee submitted an oral report of Compliance & Amendments Committee meeting of August 13, 2003.

Deputy City Attorney Llorente will bring more information on possible amendments to the Sunshine Ordinance to the next meeting of the Compliance and Amendments Committee.

3. Report from Complaint Committee.

Committee Chair Brugmann submitted a report.

Motion adopted approving jurisdiction of the complaint of Sue Cauthen against the San Francisco Public Library. (Brugmann/Nickliss) (Absent: Mehra)

4. Public hearing, July 13, 2003 complaint of Sue Cauthen against the Public Library for failure to provide (1) adequate notice of two passive meetings; (2) copies of complete emails; and (3) adequate assistance in obtaining documents.

Member Cauthen was recused from the meeting at this time. Sue Cauthen spoke in support of her complaint.

Michael Housh spoke in support of the San Francisco Public Library.

Public comment from Peter Warfield stating that (1) he has experienced the same things alleged in this complaint with the Library; (2) state law indicates that the volume of record requests is irrelevant; and (3) the Library did not provide an adequate response to record requests.

Complaint #1 on adequate notice of two passive meetings: Order of Determination adopted: "With regard to the alleged failure of the San Francisco Public Library to provide adequate notice of two passive meetings, the Sunshine Ordinance Task Force finds that the Library's compliance in notifying Ms. Cauthen of passive meetings has been less than exemplary and encourages the Library in the future to post on their web site notice of all meetings pertaining to expenditure of bond monies and library policy." (Sterner/Nickliss) (Ayes: Brugmann, Knee, Sterner, Comstock, Jenkins, Nickliss, Williams) (Noes: Parker) (Recused: Cauthen) (Absent: Mehra)

Complaint #2 regarding copies of complete emails: Motion adopted to call the question. (Comstock/Sterner) (Ayes: Brugmann, Knee, Parker, Sterner, Comstock, Jenkins, Nickliss, Williams) (Recused: Cauthen) (Absent: Mehra)

Complaint #2 regarding copies of complete emails: Order of Determination

adopted: "With regard to the allegation that the Library failed to provide complete copies of e-mails, the Sunshine Ordinance Task Force dismisses this complaint." (Comstock/Sterner) (Ayes: Brugmann, Knee, Parker, Sterner, Comstock, Jenkins, Nickliss, Williams) (Recused: Cauthen) (Absent: Mehra)

Public comment from Peter Warfield regarding (1) the Library's violation in providing adequate assistance and records and (2) the requirement of the Sunshine Ordinance Sections 67.29-7(a), Correspondence and Records Shall be Maintained.

Complaint #3 on adequate assistance in obtaining documents: Order of Determination adopted: With regard to the allegation that the Library failed to provide adequate assistance in obtaining documents, the Sunshine Ordinance Task Force finds that the Library violated the Sunshine Ordinance in failing to provide adequate assistance and urges the Library to be more forthcoming in regard to surveys such as noted in the complaint." (Comstock/Nickliss) (Ayes: Brugmann, Knee, Parker, Sterner, Comstock, Jenkins, Nickliss, Williams) (Recused: Cauthen) (Absent: Mehra)

5. Administrator's Report.

   Member Cauthen entered the meeting at this time.

   Administrator Hall submitted a written report.

6. Public comment for items not listed on the agenda. No public comment.

7. Future agenda items.

   Sunshine Ordinance Task Force to Invite the School Board to attend the next Sunshine Ordinance Task Force meeting.

The meeting adjourned at 6:17 p.m.

Submitted by Donna L. Hall, Administrator

*The 8/26/03 Sunshine Ordinance Task Force minutes have been audio recorded and are on file in the Sunshine Ordinance Task Force Office.

Sunshine Ordinance Task Force

City Hall
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SUNSHINE ORDINANCE TASK FORCE
AGENDA

Tuesday, September 23, 2003
4:00 p.m., City Hall, Room 408

Task Force Members

Seat 1	Vacant	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Pawan Mehra	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
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Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of August 26, 2003. (Donna Hall) (action item) (5 min)

2. Report from Compliance & Amendments Committee (Richard Knee) (discussion item) (5 min)

   -- Draft minutes of September 10, 2003.

3. Report from Public Education & Information Committee (David Parker) (10 min)

   A. Draft minutes of September 11, 2003. (information item)

   B. Recommendations setting dates of community meetings. (action item)

4. Report from Rules Committee (Heather Sterner) (5 min)

   A. Draft minutes of September 11, 2003. (information item)

   B. Recommendation designating the Chair of the Task Force as the liaison to the Ethics Commission. (action item)

5. Report from Complaint Committee. (Bruce Brugmann)

   A. Draft minutes of September 9, 2003. (information item)

   B. Jurisdiction of complaint of Steve Lawrence against the Public Utilities Commission. (action item) (5 min)

   C. Jurisdiction of complaint of Steve Cockrell against the Natural Areas Program Citizens Advisory Committee. (action item) 5 min)

6. Public hearing, complaint of Steve Lawrence against the Public Utilities Commission for failure to provide records.(action item) (20 min)

7. Public hearing, complaint of Steve Cockrell against the Natural Areas Program Citizens Advisory Committee for failure to ensure public and open process; failure to provide an agenda; failure to provide documents at a public meeting; failure to provide opportunity for public comment; failure to provide review of tape recordings of meetings; requiring an appointment to review records. (action item) (20 min)

8. Administrator's Report. (Donna Hall) (discussion item) (5 min)

9. Public comment for items not listed on the agenda. (discussion item) (10 min)

10. Future agenda items. (discussion item) (5 min)

Adjournment **Next Regular Meeting October 28, 2003**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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4.	Complainant presents rebuttal	3 minutes
5.	Public comment	
6.	Matter is with the Task Force for discussion and deliberation	
7.	Vote by Task Force	

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Lobbyist Registration & Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (SF Campaign & Governmental Conduct Code Sec. 2.100) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415 581-2300; fax (415 581-2317); web site: sfgov.org/ethics.

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SUNSHINE ORDINANCE TASK FORCE
*MINUTES

Tuesday, September 23, 2003
4:00 p.m., City Hall, Room 408

Task Force Members

Seat 1	Vacant	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Pawan Mehra	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

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Note: First name after motion indicates initiator of motion; second name indicates seconder of motion. All motions unanimous except as noted.

Roll Call: Present: Brugmann, Comstock, Knee, Mehra, Sterner, Cauthen, Jenkins, Parker, Nickliss, Williams.

The meeting convened at 4:00 p.m.

1. Approval of minutes of August 26, 2003.

   Minutes of the August 26, 2003 meeting approved with amendments to the paragraphs regarding the approval of minutes of the August 5 meeting amending Item 2 to state "have City College consider enforcement and compliance procedures at City College" and delete the duplication of Member Sterner who appeared twice on Roll Call. (Parker/Knee)

2. Report from Compliance & Amendments Committee.

   Committee Chair Knee submitted an oral report of the Compliance & Amendments Committee meeting of September 10, 2003.

   Member Parker reported that the October 15, 2003 community meeting location has changed to the Bayview Opera House, 4705 – 3rd Street.

   Committee Chair Knee requested that a press release be sent to the media and

that supplementary issue materials and draft amendments to the Sunshine Ordinance be prepared to hand out at the community meeting. Administrator Hall reported that a flyer would be sent announcing the meeting.

3. Report from Public Education and Information Committee.

Committee Chair Parker submitted an oral report of the Public Education and Information Committee meeting of September 11, 2003.

Member Knee suggested that the November 8 and February 21 community meeting times should be held from 1:30 – 5:30 p.m.

Public comment from Ms. Lurilla Harris asking if the community meeting would be a Special Meeting of the Sunshine Ordinance Task Force.

Motion adopted that the community meetings would proceed under the sole sponsorship of the Compliance and Amendments Committee. (Knee/Nickliss) (Ayes: Brugmann, Knee, Sterner, Comstock, Cauthen, Nickliss, Williams) (Noes: Jenkins, Parker, Mehra)

4. Report from Rules Committee.

Committee Chair Sterner submitted an oral report of the Rules Committee meeting of September 11, 2003.

Motion adopted designating the Chair of the Task Force or his or her designee as the liaison to the Ethics Commission. (Nickliss/Sterner)

5. Report from Complaint Committee.

Member Comstock submitted an oral report of the Complaint Committee meeting of September 9, 2003.

Motion adopted approving jurisdiction of the complaint of Steve Lawrence against the San Francisco Public Utilities Commission. (Brugmann/Nickliss)

Deputy City Attorney Llorente reported that the Stephen R. Cockrell against the Natural Areas Program Citizens Advisory Committee Order of Determination was amended to include jurisdiction of Item 2 of the complaint that NAPCAC failed to provide documents to the public at its August 14, 2003 public meeting.

Motion adopted approving jurisdiction of the complaint of Stephen R. Cockrell against the Natural Areas Program Citizens Advisory Committee. (Brugmann/Cauthen)

6. Public hearing, complaint of Steve Lawrence against the Public Utilities Commission for failure to provide records.

Mr. Steve Lawrence spoke in support of his complaint.

Ms. Beverly Hennessey, Director of Communications, San Francisco Public Utilities Commission (SFPUC) spoke in support of the department.

Public comment from Ms. Lurilla Harris regarding public monies being expended without adequate documentation.

Public comment from Ms. Pinkie Kushner commending the Sunshine Ordinance Task Force for their work and enforcement of this complaint.

Order of Determination adopted that the Sunshine Ordinance Task Force finds that the SFPUC is in violation of the Sunshine Ordinance Section 67.21 (c), and that the Sunshine Ordinance requests that the SFPUC complete their Index of Records. (Comstock/Parker)

7. Public hearing, complaint of Steve Cockrell against the Natural Areas Program Citizens Advisory Committee for failure to ensure public and open process; failure to provide an agenda; failure to provide documents at a public meeting; failure to provide opportunity for public comment; failure to provide review of tape recordings of meetings; requiring an appointment to review records.

Mr. Steve Cockrell spoke in support of his complaint.

Mr. Tys Sniffen, Chair of the Natural Areas Program Citizens Advisory Committee (NAPCAC) spoke in support of NAPCAC.

In support of complainant:

Public comment from Mr. Donald Bird regarding (1) lack of public notification of NAPCAC meetings; (2) the attitude of certain NAPCAC Committee members against public comment; and (3) the Board of Supervisors' responsibility for supporting NAPCAC, not the Recreation and Park Department.

Public comment from Ms. Pinkie Kushner, member of the Executive Committee, Sierra Club about the NAPCAC Committee members' attitude against public comment.

Public comment from Ms. Andrea O'Leary, Environmental Quality of Urban Parks, on the (1) self-appointment process of the NAPCAC Chair and to appoint a new Chair; (2) the members attitude against public comment; (3) recommending that

the Board of Supervisors offer support or monies to the Recreation and Park Department to offer support to NAPCAC; and (4) to urge NAPCAC to use Recreation and Park Department's expertise.

Public comment from Mr. William F. Wilson regarding (1) inadequate posting of NAPCAC agenda items, (2) not supplying the public with copies of documents; (3) NAPCAC Committee members' attitude against public comment; and (4) a meeting between the City Services Committee, the Clerk of the Board, and the Chair of NAPCAC offering support to NAPCAC.

Public comment from Ms. Courtney Clarkson on NAPCAC's attitude against the natural areas program and lack of meeting notice.

In support of NAPCAC:

Public comment from Mr. Bill Carlin, member of the San Francisco Parks Coalition regarding (1) the public comment process at NAPCAC and other commission/committee meetings, and (2) commending NAPCAC for its work and recognizing their lack of resources and support.

Public comment from Mr. Keith McAllister defending NAPCAC's public comment process and only violation being that public comment was not set aside at the end of the meeting for non-agenda items.

Public comment from Ms. Carolyn Blair, Parks Coalition, the Coalition for San Francisco Neighborhoods' Open Task Force, Urban Forest Council, and Executive Director of the San Francisco Tree Council commending NAPCAC for their work and recognizing their lack of support; (2) the election of the Chair by NAPCAC; and (3) review of NAPCAC by a scientific panel after a report has been produced in November.

Member Parker suggested an Order of Determination, seconded by Member Mehra (no vote). After discussion, motion adopted to call the question on a substitute motion presented by Member Parker. (Comstock/Knee) (Ayes: Brugmann, Mehra, Sterner, Comstock, Cauthen, Jenkins, Parker, Nickliss, Williams)

The following proposed Order of Determination was **not** adopted. (Parker/Knee) (Ayes: Mehra, Parker, Williams) (Noes: Brugmann, Knee, Sterner, Comstock, Cauthen, Jenkins, Nickliss)

1. Even though NAPCAC is not required to record its meetings per Sunshine Ordinance Section 67.14(b), the NAPCAC web site stated recordings are available at its office; therefore, it should have provided recordings of its meetings;

2. The Sunshine Ordinance Task Force advises NAPCAC as well as all City departments, agencies, boards, commissions, committees, and policy bodies to audio-record its meetings and keep minutes although it may not be specifically required per the Sunshine Ordinance;

3. The NAPCAC violated the Sunshine Ordinance Section 67.21(a) by requiring an appointment for document review;

4. The NAPCAC did not violate the Sunshine Ordinance in regards to the second allegation regarding document production;

5. The Task Force requests the Clerk of the Board of Supervisors to insure all members and parties of NAPCAC have been trained per the Sunshine Ordinance and report back to the Task Force regarding the training;

6. The Board of Supervisors provide the adequate support necessary for this Committee; and

7. This Order of Determination will be forwarded to the Board of Supervisors.

The following Order of Determination was adopted by the Sunshine Ordinance Task Force (Comstock/Nickliss) (Ayes: Brugmann, Comstock, Knee, Mehra, Sterner, Cauthen, Jenkins, Parker, Nickliss) (Noes: None) (Absent: Williams)

1. The Sunshine Ordinance Task Force finds NAPCAC was in violation of the Sunshine Ordinance Section 67.15(a) for failure to provide on NAPCAC's agendas an additional Public Comment item to provide an opportunity for members of the public to directly address a policy body on items of interest to the public that are within policy body's subject matter jurisdiction;

2. Based on testimony presented by representatives of NAPCAC and hearing from members of the community, the Task Force realizes there are mitigating factors that explain why NAPCAC has been experiencing problems in carrying out its duties; and given those mitigating circumstances, NAPCAC has committed to do its best efforts to avoid future problems with the Sunshine Ordinance in the future; and

3. The Task Force also recognizes that more logistical support needs to be given to advisory bodies to do their work, especially NAPCAC; and

4. The Task Force applauds the efforts of the members of NAPCAC, as well as the concerned citizens from the community in attending these meetings and in working together through the established hearing process to draft and produce a final report that would best meet the needs of the citizens of the City and County of San Francisco.

8. Administrator's Report.

   Administrator Hall submitted a written report.

9. Public comment for items not listed on the agenda.

   Public comment from Mr. Donald Bird inquiring how determinations are put in writing for the public to read.

   Public comment from Mr. Bill Carlin thanking the Task Force.

   Public comment from Mr. Tys Sniffen recommending that the Board of Supervisors not appoint people to Citizens Advisory Committees unless they can support it.

   Public comment from Mr. Steve Cockrell regarding his work on creating a handbook for Citizens Advisory Committees that will include a thorough section about the Sunshine Ordinance.

   Public comment from Mr. William Wilson commending the Sunshine Ordinance Task Force.

   Public comment from Ms. Andrea O'Leary regarding educating the public on their rights.

10. Future agenda items.

    Member Cauthen discussed the book An Overview of the Laws Governing the Conduct of Public Officials and the section on opinions by the City Attorney not having the force of law. A request was made to assign to a Committee the issue of whether appointments can be required.

    Member Cauthen discussed the Main Library's statement that they would reply only by mail to Immediate Disclosure Requests and how that would meet the next day response requirement of the Sunshine Ordinance. A request was made to assign this issue to the Compliance and Amendments Committee as the Sunshine Ordinance requires a response by the next business day.

The meeting adjourned at 7:03 p.m.

Submitted by Donna L. Hall, Administrator

*The 9/23/03 Sunshine Ordinance Task Force minutes have been audio recorded and are on file in the Sunshine Ordinance Task Force Office.

Sunshine Ordinance Task Force

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-7724
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8

30/03

SUNSHINE ORDINANCE TASK FORCE
COMMUNITY COLLEGE DISTRICT BOARD
AGENDA
AD HOC MEETING

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SEP 26 2003

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Tuesday, September 30, 2003
4:00 p.m., City Hall, Room 406

Task Force Members

Garrett Jenkins
Alexander Nickliss
Doug Comstock
Richard Knee
Bruce Brugmann

Open discussion between the Sunshine Ordinance Task Force and the Community College District Board regarding the Sunshine Ordinance.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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2.	Other parties present facts and evidence	5 minutes each party
3.	City responds	5 minutes
4.	Complainant presents rebuttal	3 minutes
5.	Public comment	
6.	Matter is with the Task Force for discussion and deliberation	
7.	Vote by Task Force	

Note: Time must be adhered to
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SUNSHINE ORDINANCE TASK FORCE
COMMUNITY COLLEGE DISTRICT BOARD
MINUTES*

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AD HOC MEETING
SPECIAL MEETING
Tuesday, September 30, 2003
4:00 p.m., City Hall, Room 406

Task Force Members
Garrett Jenkins
Alexandra Nickliss
Doug Comstock
Richard Knee
Bruce Brugmann

Sunshine Ordinance Task Force Members present: Comstock, Knee, and Nickliss

Community College District Board Member of Trustees present: Day, Goldstein, Marks, Lee, and Carter

The meeting convened at 4:00 p.m.

Open discussion between the Sunshine Ordinance Task Force and the Community College District Board regarding the Sunshine Ordinance.

Items discussed:
--Overarching concerns of City College
--Relationship of Brown Act/Public Records Act to Sunshine Ordinance
--Closed sessions
--Sole source contracts
--Procurement
--Passive meeting agendas and meetings
--Index and custodian of public records
--Training sessions
--Competitive bidding

Task Force Members and Board of Trustee Members to submit list of items to discuss at the next meeting.

The meeting adjourned at 6:45 p.m.

Submitted by Donna L. Hall, Administrator

This 9/30/03 meeting has been audio recorded and is on file in the Sunshine Ordinance Task Force Office.

Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
COMMUNITY COLLEGE DISTRICT BOARD
AGENDA
AD HOC MEETING

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Thursday, October 23, 2003
4:00 p.m., City Hall, Room 406

Task Force Members
Garrett Jenkins
Alexander Nickliss
Doug Comstock
Richard Knee
Bruce Brugmann

-- Open discussion between the Sunshine Ordinance Task Force and the Community College District Board regarding the Sunshine Ordinance.

--Review of notes of joint meeting of 9/30/03.

--City College Shared Governance and how it works.

--Discussion regarding Sections 67.3-67.6 of the Sunshine Ordinance.

--Review of City College Board of Trustees' list of 27 items related to the Sunshine Ordinance.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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4.	Complainant presents rebuttal	3 minutes
5.	Public comment	
6.	Matter is with the Task Force for discussion and deliberation	
7.	Vote by Task Force	

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Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
COMMUNITY COLLEGE DISTRICT BOARD
REVISED AGENDA
AD HOC MEETING

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OCT 17 2003
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Thursday, October 23, 2003
4:00 p.m., City Hall, Room 406

Task Force Members
Garrett Jenkins
Alexander Nickliss
Doug Comstock
Richard Knee
Bruce Brugmann

-- Open discussion between the Sunshine Ordinance Task Force and the Community College District Board regarding the Sunshine Ordinance.

--Review of notes of joint meeting of 9/30/03.

--City College Shared Governance and how it works.

--Discussion regarding Sections 67.3-67.6 of the Sunshine Ordinance.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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SUNSHINE ORDINANCE TASK FORCE
COMMUNITY COLLEGE DISTRICT BOARD
MINUTES*

AD HOC MEETING
SPECIAL MEETING

Thursday, October 23, 2003
4:00 p.m., City Hall, Room 406

Task Force Members
Garrett Jenkins
Alexandra Nickliss
Doug Comstock
Richard Knee
Bruce Brugmann

Sunshine Ordinance Task Force Members present: Brugmann, Comstock, Nickliss

Community College District Board of Trustee Members present: Carter, Grier, and Marks

City College Members present: Dr. Robert Gabriner, Dean of Research & Grants; Peter Goldstein, Vice Chancellor; Dr. Ronald T. Lee, General Counsel, San Francisco Community College District.

The meeting convened at 4:10 p.m.

Open discussion between the Sunshine Ordinance Task Force and the Community College District Board regarding the Sunshine Ordinance.

--Review of notes of joint meeting of September 30, 2003. No comments.

--City College Shared Governance and how it works.

Materials regarding shared governance system were distributed.

Items discussed:

- The Task Force and City College's concern with the Sunshine Ordinance
- Policies related to shared governance (Document entitled "Adopted by SFCCD Board of Trustees (September 23, 1993) City College of San Francisco Shared Governance System (Revised on October 29, 1998));
- The College Governance Structures: the Collegial Governance System, College Advisory Governance System, and Budget and Planning Governance System; Authority, Responsibility and Process;
- How City College faculty and department meetings process fits into shared governance, the community college process, and the open meeting process;
- Shared Governance System and the level of student participation in the system;
- The Shared Governance Handbook 2003;
- Committee/Department meeting standards;
- The Academic Senate and Department Chairs' responsibilities;
- Program Review System and availability of information to the public;
- Decision Support System;
- City College as a local agency different from the City and County.

Public comment from Maria Crispi interested in concerns of the campus.

--Discussion regarding Sections 67.3-67.6 of the Sunshine Ordinance. Items discussed:

- Dr. Ronald Lee's February 26, 2003 letter to the Sunshine Ordinance and district responses to Sections 67.3-67.6;
- Federal and other types of grants information and administration available at the Research & Grants Office;
- General Contact for Records Requests;
- Meetings to be Open and Public

Future Agenda Items

- Sole source contracts as referenced in Dr. Lee's February 26, 2003 letter, pages 6-7, Items 3), 4), and 5).

The Administrator would be sending all meeting attendees meeting information.

The meeting adjourned at 5:47 p.m.

Submitted by Donna L. Hall, Administrator

This 10/23/03 meeting has been audio recorded and is on file in the Sunshine Ordinance Task Force Office.

Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
AGENDA

Tuesday, October 28, 2003
4:00 p.m., City Hall, Room 408

Task Force Members

Seat 1	Nicole Dogwill	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Pawan Mehra	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Note: Each item on the Agenda may include minutes, department or agency letters and reports; Task Force reports; and public correspondence. These items will be available for review at City Hall, Sunshine Ordinance Task Force Office, Room 244.

Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of September 23, 2003. (Donna Hall) (action item) (5 min)

2. Report from Compliance & Amendments Committee (Richard Knee) (discussion item) (5 min)

   -- Draft minutes of October 15 and 16, 2003. (information item)

3. Report from Complaint Committee. (Doug Comstock)

   A. Draft minutes of October 21, 2003. (information item)

   B. Jurisdiction of complaint of Ronald Van Pool against the Fire Department for

alleged failure to provide records. (action item) (5 min)

C. Jurisdiction of complaint of Patrick Monette-Shaw against the Office of the Mayor for alleged failure to provide records. (action item) (5 min)

D. Jurisdiction of complaint of John Harrison against the San Francisco Residential Rent Stabilization & Arbitration Board for alleged overcharging of tape recordings of hearings. (action item) (5 min)

4. Public hearing, complaint of Ronald Van Pool against the Fire Department for alleged failure to provide records. (action item) (20 min)

5. Public hearing, complaint of Patrick Monette-Shaw against the Office of the Mayor for alleged failure to provide records. (action item) (20 min)

6. Public hearing, complaint of John Harrison against the San Francisco Residential Rent Stabilization & Arbitration Board for alleged overcharging of tape recordings of hearings. (action item) (20 min)

7. Request for reconsideration of 9/23/03 Order of Determination regarding Steve Cockrell complaint against NAPCAC. (action item) (5 min)

8. Administrator's Report. (Donna Hall) (discussion item) (5 min)

9. Public comment for items not listed on the agenda. (discussion item) (10 min)

10. Future agenda items. (discussion item) (5 min)

Adjournment **Next Regular Meeting November 25, 2003**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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3.	City responds	5 minutes
4.	Complainant presents rebuttal	3 minutes
5.	Public comment	
6.	Matter is with the Task Force for discussion and deliberation	
7.	Vote by Task Force	

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Lobbyist Registration & Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (SF Campaign & Governmental Conduct Code Sec. 2.100) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415 581-2300; fax (415 581-2317); web site: sfgov.org/ethics.

Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
MINUTES

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Tuesday, October 28, 2003
4:00 p.m., City Hall, Room 408

Task Force Members

Seat 1	Nicole Dogwill	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Pawan Mehra	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

Note: First name after motion indicates initiator of motion; second name indicates seconder of motion. All motions unanimous except as noted.

Roll Call: Present: Comstock, Dogwill, Mehra (arrived during Item 3), Sterner, Cauthen, Jenkins, Knee, Nickliss, Williams.

Members Absent: Brugmann, Parker

The meeting convened at 4:03 p.m.

New member Nicole Dogwill introduced herself.

1. Approval of minutes of September 23, 2003.

   Minutes of the September 23, 2003 meeting approved (Nickliss/Williams) (Ayes: Dogwill, Sterner, Cauthen, Jenkins, Knee, Nickliss, Williams) (Absent: Brugmann, Comstock, Mehra, Parker)

2. Report from Compliance & Amendments Committee.

   Committee Chair Knee submitted an oral report and notes of the Compliance & Amendments Committee special meeting of October 15. An oral report was submitted on the rescheduled meeting of October 16.

The next Compliance and Amendments Committee Community Meeting would be held on November 8 at the Visitacion Valley Community Center.

Public comment from Mr. Steve Cockrell on lack of enforceability in Sunshine Ordinance orders and the need for the Sunshine Ordinance Task Force to have a litigation budget or acquire the services of law firms that do pro-bono work.

3. Report from Complaint Committee.

Committee Chair Comstock submitted an oral report of the Complaint Committee meeting of October 21, 2003.

Motion adopted approving jurisdiction of the complaint of Ronald Van Pool against the Fire Department. (Nickliss/Cauthen) (Ayes: Cauthen, Comstock, Dogwill, Jenkins, Knee, Nickliss, Sterner, Williams) (Absent: Brugmann, Mehra, Parker)

Member Mehra entered the meeting at this time.

Motion adopted approving jurisdiction of the complaint of Patrick Monette-Shaw against the Office of the Mayor. (Cauthen/Nickliss) (Ayes: Cauthen, Comstock, Dogwill, Jenkins, Knee, Mehra, Sterner, Nickliss, Williams) (Absent: Brugmann, Parker)

Motion adopted approving jurisdiction of the complaint of John Harrison against the San Francisco Residential Rent Stabilization & Arbitration Board. (Nickliss/Knee) (Ayes: Cauthen, Comstock, Dogwill, Cauthen, Jenkins, Knee, Mehra, Nickliss, Sterner, Williams) (Absent: Brugmann, Parker)

4. Public hearing, complaint of Ronald Van Pool against the Fire Department for alleged failure to provide records.

Ronald Van Pool, Lieutenant for the San Francisco Fire Department, spoke in support of his complaint.

Public comment from John Darmanin, member of the San Francisco Fire Department/Bureau of Fire Prevention, in support of Mr. Van Pool's complaint.

Public comment from Captain Ernest Lee, San Francisco Fire Department, in support of Mr. Van Pool's complaint.

Assistant Deputy Chief Lorrie Kalos spoke in support of the Fire Department.

Public comment from Steve Cockrell on Sunshine Ordinance Section 67.22 on daily time allowances for departments to respond to Sunshine requests referring to oral requests only.

Public comment from John Darmanin against continuation.

Public comment from Steve Cockrell on Sunshine Ordinance Section 67.25 Immediacy of Response.

Order of Determination adopted that the Sunshine Ordinance Task Force finds that the Fire Department was in violation of the Sunshine Ordinance Section 67.25(a) (b) and (d). (Comstock/Nickliss) (Ayes: Cauthen, Comstock, Dogwill, Knee, Jenkins, Mehra, Nickliss, Sterner, Williams) (Absent: Brugmann, Parker)

5. Public hearing, complaint of Patrick Monette-Shaw against the Office of the Mayor for alleged failure to provide records.

Mr. Patrick Monette-Shaw spoke in support of his complaint.

Mr. P. J. Johnston spoke in support of the Office of the Mayor.

Order of Determination adopted that the Sunshine Ordinance Task Force finds that the Office of the Mayor is in violation of Sunshine Ordinance Sections 67.21(c) and 67.25 and directs the Office of the Mayor to make the requested documents available to the requester as listed in his complaint (specifically the June 21 Immediate Disclosure Request; the July 6 Immediate Disclosure Request; and the September 27 Immediate Disclosure Request). (Comstock/Knee) (Ayes: Cauthen, Comstock, Knee, Jenkins, Mehra, Nickliss, Sterner, Williams) (Noes: Dogwill) (Absent: Brugmann, Parker)

Member Williams left the meeting at this time.

6. Public hearing, complaint of John Harrison against the San Francisco Residential Rent Stabilization & Arbitration Board for alleged overcharging of tape recordings of hearings.

John Harrison and a representative from the San Francisco Residential Rent Stabilization & Arbitration Board were not present.

Administrator Hall stated that numerous emails were sent to Mr. Harrison with no response. The San Francisco Residential Rent Stabilization & Arbitration Board sent in a statement saying that they are changing their policy of charging $7.00 per tape.

Member Cauthen left the meeting at this time.

Motion adopted to table this item. (Comstock/Sterner) (Ayes: Nickliss, Jenkins, Comstock, Sterner, Mehra, Knee, Dogwill) (Absent: Cauthen, Williams, Brugmann, Parker)

7. Request for reconsideration of 9/23/03 Order of Determination regarding Steve Cockrell complaint against NAPCAC.

   Member Cauthen re-entered the meeting at this time.

   Steve Cockerell spoke in support of reconsideration of his September 23, 2003 Order of Determination against NAPCAC.

   Motion to reconsider Order of Determination. (Cauthen/Knee) (Ayes: Cauthen) (Noes: Comstock, Dogwill, Knee, Jenkins, Nickliss, Mehra, Sterner) (Absent: Brugmann, Parker, Williams). The motion failed.

8. Administrator's Report.

   Administrator Hall submitted a written report.

9. Public comment for items not listed on the agenda.

   No public comment.

10. Future agenda items.

    Member Knee would submit changes to Sunshine Ordinance language to be submitted to the Task Force after Compliance and Amendments public hearings are completed.

The meeting adjourned at 7:00 p.m.

Submitted by Donna L. Hall, Administrator

*The 10/28/03 Sunshine Ordinance Task Force minutes have been audio recorded and are on file in the Sunshine Ordinance Task Force Office.

Sunshine Ordinance Task Force

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-7724
Fax No. 554-7854
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SUNSHINE ORDINANCE TASK FORCE

AGENDA

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RESCHEDULED MEETING
(from 11/25/03 to:)
Thursday, November 20, 2003
4:00 p.m., City Hall, Room 406

Revised

Task Force Members

Seat 1	Nicole Dogwill	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Pawan Mehra	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
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Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of October 28, 2003. (Donna Hall) (action item) (5 min)

2. Supervisor of Public Records (City Attorney) annual review and report. (Paul Zarefsky) (discussion item) (15 min)

3. Report from Compliance & Amendments Committee (Richard Knee) (discussion item) (5 min)

   A. Draft minutes of November 8 and 12, 2003. (information item)

   B. Information from Complainant Peter Witt regarding Order of Determination of 11/26/02. (discussion and possible action item)

4. Report from Complaint Committee. (Bruce Brugmann)

   A. Draft minutes of November 12, 2003. (information item)

   B. Jurisdiction of complaint of Katherine Roberts against the Golden Gate Park Concourse Authority for alleged failure to provide records for a public hearing (action item) (5 min)

   C. Jurisdiction of complaint of Kristen Odlaug against the Fire Department for alleged failure to provide records. (action item) (5 min)

   D. Jurisdiction of complaint of Daniel Boreen against the Fire Department for alleged failure to provide records. (action item) (5 min)

5. Public hearing, complaint of Katherine Roberts against the Golden Gate Park Concourse Authority for alleged failure to provide records for a public hearing. (action item) (20 min)

6. Public hearing, complaint of Kristen Odlaug against the San Francisco Fire Department for alleged failure to provide records. (action item) (20 min)

7. Public hearing, complaint of Daniel Boreen against the Fire Department for alleged failure to provide records. (action item) (20 min)

8. Resolution requesting the City Attorney to designate a Deputy City Attorney to inventory records of Mayor's Office for preservation as public records. (Bruce Brugmann) (discussion and possible action item) (10 min)

9. Administrator's Report. (Donna Hall) (discussion item) (5 min)

10. Public comment for items not listed on the agenda. (discussion item) (10 min)

11. Future agenda items. (discussion item) (5 min)

Adjournment **Next Regular Meeting December 16, 2003**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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2.	Other parties present facts and evidence	5 minutes each party
3.	City responds	5 minutes
4.	Complainant presents rebuttal	3 minutes
5.	Public comment	
6.	Matter is with the Task Force for discussion and deliberation	
7.	Vote by Task Force	

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SUNSHINE ORDINANCE TASK FORCE

MINUTES*

Thursday, November 20, 2003
4:00 p.m., City Hall, Room 406

Task Force Members

Seat 1	Nicole Dogwill	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Pawan Mehra	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

Note: First name after motion indicates initiator of motion; second name indicates seconder of motion. All motions unanimous except as noted.

Roll Call: Present: Comstock, Dogwill (arrived after Item #2), Jenkins, Knee, Nickliss, Parker, Sterner. Absent: Brugmann, Cauthen, Mehra, Williams

1. Approval of minutes of October 28, 2003. Approved. (Nickliss/Cauthen) (Ayes: Knee, Sterner, Comstock, Jenkins, Parker, Nickliss) (Noes: None) (Absent: Brugmann, Cauthen, Dogwill, Mehra, Williams)

2. Supervisor of Public Records (City Attorney) annual review and report.

   Fourth Annual Report of the Supervisor of Records submitted by Deputy City Attorney Paul Zarefsky. Report accepted.

3. Report from Compliance & Amendments Committee (Richard Knee)

   Committee Chair Richard Knee reported on the meeting of November 8 and November 12. Committee Chair Knee reported Complainant Peter Witt appeared before the Compliance & Amendments Committee reporting violations of the Order of Determination of November 26, 2002 against the Taxi Commission.

Complainant Peter Witt addressed the Task Force requesting the Task Force reconsider his Order of Determination of November 26, 2002 regarding his complaint against the Taxi Commission regarding alleged public comment violations. The Task Force reviewed the Taxi Commission meeting of August 12, 2003 regarding this issue.

Motion introduced to set a public hearing to determine whether or not the Order of Determination has been violated by the Taxi Commission. (Comstock/Knee) (Ayes: Comstock, Knee) (Noes: Dogwill, Sterner, Jenkins, Parker, Nickliss) (Absent: Brugmann, Mehra, Cauthen, Williams) The motion failed.

4. Report from Complaint Committee.

Chair Jenkins reported on the meeting of November 12, 2003.

-- Jurisdiction of complaint of Katherine Roberts against the Golden Gate Park Concourse Authority for alleged failure to provide records for a public hearing.

Motion adopted approving jurisdiction. (Comstock/Nickliss) (Ayes: Dogwill, Knee, Sterner, Comstock, Jenkins, Parker, Nickliss) (Noes: None) (Absent: Brugmann, Mehra, Cauthen, Williams)

--. Jurisdiction of complaint of Kristen Odlaug against the Fire Department for alleged failure to provide records.

Motion adopted approving jurisdiction. (Comstock/Nickliss) (Ayes: Dogwill, Knee, Sterner, Comstock, Jenkins, Parker, Nickliss) (Noes: None) (Absent: Brugmann, Mehra, Cauthen, Williams)

-- Jurisdiction of complaint of Daniel Boreen against the Fire Department for alleged failure to provide records.

Motion adopted approving jurisdiction. (Comstock/Nickliss) (Ayes: Dogwill, Knee, Sterner, Comstock, Jenkins, Parker, Nickliss) (Noes: None) (Absent: Brugmann, Mehra, Cauthen, Williams)

5. Public hearing, complaint of Katherine Roberts against the Golden Gate Park Concourse Authority for alleged failure to provide records for a public hearing.

Complainant Katherine Roberts addressed the Task Force in support of her complaint. Chris Duterstat addressed the Task Force in support of the Complainant's complaint.

Mike Ellsey and Julia Kay, Golden Gate Park Concourse Authority, addressed the

Task Force in support of the Golden Gate Park Concourse Authority.

Motion adopted dismissing this complaint. (Sterner/Dogwill) (Ayes: Dogwill, Knee, Sterner, Comstock, Jenkins, Parker, Nickliss) (Noes: None) (Absent: Brugmann, Mehra, Cauthen, Williams)

6. Public hearing, complaint of Kristen Odlaug against the San Francisco Fire Department for alleged failure to provide records.

Kristen Odlaug addressed the Task Force in support of her complaint. John Darmanin and Ron Van Pool addressed the Task Force in support of the Complainant's complaint.

Lorrie Kalos addressed the Task Force in support of the Fire Department.

Order of Determination adopted that the Sunshine Ordinance Task Force finds the San Francisco Fire Department in violation of Sunshine Ordinance Code Sections 67.21 and 67.25, providing of records, and the immediacy of response. (Comstock/Nickliss) (Ayes: Dogwill, Knee, Sterner, Comstock, Jenkins, Parker, Nickliss) (Noes: None) (Absent: Brugmann, Mehra, Cauthen, Williams)

The meeting adjourned at 6:25 p.m. due to lack of a quorum.

7. Public hearing, complaint of Daniel Boreen against the Fire Department for alleged failure to provide records. Continued to the next meeting.

8. Resolution requesting the City Attorney to designate a Deputy City Attorney to inventory records of Mayor's Office for preservation as public records. Continued to the next meeting.

9. Administrator's Report. Continued to the next meeting.

10. Public comment for items not listed on the agenda. Continued to next meeting.

11. Future agenda items. Continued to the next meeting.

Submitted by Donna L. Hall, Administrator

*The 11/20/03 Sunshine Ordinance Task Force minutes have been audio recorded and are on file in the Sunshine Ordinance Task Force Office.

Sunshine Ordinance Task Force

City Hall
Dr. Carlton B. Goodlett Place, Room 244
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Tel. No. 554-7724
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SUNSHINE ORDINANCE TASK FORCE

AGENDA

RESCHEDULED MEETING
(from 12/23/03 to:)
Tuesday, December 16, 2003
4:00 p.m., City Hall, Room 408

Task Force Members

Seat 1	Nicole Dogwill	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Pawan Mehra	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

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Call to Order
Roll Call
Agenda Changes

1. Approval of minutes of November 20, 2003. (Donna Hall) (action item) (5 min)

2. Report from Compliance & Amendments Committee meeting of December 10, 2003. (Richard Knee) (discussion item) (5 min)

3. Public hearing, complaint of Daniel Boreen against the Fire Department for alleged failure to provide records. (continued from last meeting) (action item) (20 min)

4. Resolution requesting the City Attorney to designate a Deputy City Attorney to inventory records of Mayor's Office for preservation as public records and available for public inspection in accordance with the Sunshine Ordinance and the city's record retention policy. (Bruce Brugmann) (discussion and possible action item) (10 min)

5. Administrator's Report for December. (Donna Hall) (discussion item) (5 min)

6. Public comment for items not listed on the agenda. (discussion item) (10 min)

7. Future agenda items. (discussion item) (5 min)

Adjournment **Next Regular Meeting January 28, 2004**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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1.	Complainant presents his/her facts and evidence	5 minutes
2.	Other parties present facts and evidence	5 minutes each party
3.	City responds	5 minutes
4.	Complainant presents rebuttal	3 minutes
5.	Public comment	
6.	Matter is with the Task Force for discussion and deliberation	
7.	Vote by Task Force	

Note: Time must be adhered to
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SUNSHINE ORDINANCE TASK FORCE

MINUTES*

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RESCHEDULED MEETING
(from 12/23/03 to:)
Tuesday, December 16, 2003
4:00 p.m., City Hall, Room 408

Task Force Members

Seat 1	Nicole Dogwill	Seat 8	Garrett Jenkins
Seat 2	Bruce Brugmann	Seat 9	David Parker
Seat 3	Richard Knee	Seat 10	Alexandra Nickliss
Seat 4	Pawan Mehra	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner	Ex-officio	Hala Hijazi
Seat 6	Doug Comstock	Ex-officio	Donna Hall
Seat 7	Sue Cauthen		

Note: First name after motion indicates initiator of motion; second name indicates seconder of motion. All motions unanimous except as noted.

Roll Call: Present: Jenkins, Knee, Nickliss, Sterner, Mehra and Williams. Absent: Brugmann, Cauthen, Comstock, Dogwill, Parker

The meeting convened at 4:00 p.m.

1. Approval of minutes of November 20, 2003. Approved. (Nickliss/Knee) (Ayes: Jenkins, Knee, Nickliss, Sterner, Mehra and Williams) (Noes: None) (Absent: Brugmann, Cauthen, Comstock, Dogwill, Parker)

2. Report from Compliance & Amendments Committee meeting of December 10, 2003.

   Committee Chair Richard Knee reported on the meeting of December 10, 2003 as follows.

   - Mr. Dan Boreen and the Fire Department agreed to work together to resolve Mr. Boreen's complaint with Task Force Administrator Hall's

assistance. Task Force Administrator Hall stated that she had been in contact with Mr. Boreen and would be setting up meetings.

- Mr. Peter Witt's complaint had been continued to the next Compliance and Amendments Committee meeting at which time tapes of recent Taxi Commission meetings would be made available to review.

4. Resolution requesting the City Attorney to designate a Deputy City Attorney to inventory records of Mayor's Office for preservation as public records and available for public inspection in accordance with the Sunshine Ordinance and the city's record retention policy.

Mr. Tim Redmond, Bay Guardian discussed designating a Deputy City Attorney and member of the Sunshine Task Force to monitor compliance with retention of public records by the Mayor's Office during the transition of Mayors. The December 12, 2003 letter from City Attorney, Dennis J. Herrera to Mayor Willie L. Brown, Jr. regarding transition – retention of public records was discussed.

Motion to pass a Resolution requesting the City Attorney designate a Deputy City Attorney or other representative to inventory the records of the Mayor's Office for preserving as public records and available for public inspection in accordance with the Sunshine Ordinance and the City's record retention policy and in the spirit and philosophy of providing assistance to the Mayor's successor and all future successors in obtaining information and background on ongoing issues. (Knee/Nickliss)

Public comment from Mr. Dan Boreen recommending that all shredders should be disallowed in the City and County of San Francisco.

Public comment from Mr. Peter Warfield in strong support of the above motion. He discussed a section in the Sunshine Ordinance that gives the Task Force broad powers to research, investigate and provide reports to City departments with regard to a range of activities related to the Sunshine Task Force Ordinance. Department retention policy was discussed.

Amendment to Motion: Motion to urge the City Attorney to offer assistance to the Mayor, the District Attorney, and all outgoing department heads in ensuring that all public records from their tenures remain intact and be publicly accessible. (Knee/Nickliss) (Ayes: Jenkins, Knee, Nickliss, Sterner, Mehra and Williams) (Noes: None) (Absent: Brugmann, Cauthen, Comstock, Dogwill, Parker)

Public comment from Mr. Dan Boreen to include acting department heads in the motion.

Public comment from Mr. Peter Warfield endorsing the broadest possible application of the above motion.

3. Public hearing, complaint of Daniel Boreen against the Fire Department for alleged failure to provide records. (continued from last meeting)

   Mr. Daniel Boreen spoke in support of his complaint stating that the July 22, 2003 Order of Determination did not cover the investigation statements.

   No action taken.

5. Administrator's Report for December.

   Task Force Administrator Hall submitted a written report.

6. Public comment for items not listed on the agenda.

   No public comment.

7. Future agenda items.

   Amendments to the Sunshine Ordinance once the Community Meeting process is complete.

   City College.

Adjournment: The meeting adjourned at 5:00 p.m.

The next meeting of the Sunshine Ordinance Task Force is scheduled for January 27, 2004 at 4:00 p.m.

*The 12/16/03 Sunshine Ordinance Task Force minutes have been audio recorded and are on file in the Sunshine Ordinance Task Force Office.

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MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

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